

Title 220 WAC

FISH AND WILDLIFE, DEPARTMENT OF (FISHERIES)

Chapters

220-16	Definitions.
220-20	General provisions.
220-22	Management and catch reporting areas.
220-33	Columbia River—Commercial fisheries below Bonneville Dam.
220-36	Grays Harbor.
220-40	Willapa Harbor.
220-44	Coastal waters—Marine fish.
220-47	Puget Sound—Salmon.
220-52	Shellfish.
220-55	Personal-use licenses.
220-56	Personal-use fishery.
220-69	Fish receiving tickets—Weight delivery sheets.
220-88C	Coastal pilchard fishery.
220-95	Commercial fishing gear reduction program.
220-130	Volunteer cooperative fish and wildlife enhancement program.

Chapter 220-16 WAC DEFINITIONS

WAC

220-16-095	Definitions—Set net.
220-16-270	Puget Sound Shrimp Districts.
220-16-790	Z's Reef Marine Preserve.

WAC 220-16-095 Definitions—Set net. "Set net" shall be defined as a gill net which is anchored, tied, staked, laid in part on shore or whose lead line is so heavily weighted that it cannot drift; except that set net does not mean a nondrifting gill net operated in the Deep River, Blind Slough/Knappa Slough or South Channel Select Areas in accordance with an open fishery season and associated gear rules.

[Statutory Authority: RCW 77.12.047, 07-09-055 (Order 07-60), § 220-16-095, filed 4/12/07, effective 5/13/07; Order 810, § 220-16-095, filed 4/17/69. Formerly WAC 220-16-010 (part).]

WAC 220-16-270 Puget Sound Shrimp Districts. The following areas shall be defined as Puget Sound Shrimp Districts:

- (1) Discovery Bay Shrimp District - All waters south of a line from McCurdy Point on the Quimper Peninsula to the northern tip of Protection Island, then to Rocky Point on the Miller Peninsula, and including all waters of Discovery Bay.
- (2) Hood Canal Shrimp District - All waters of Hood Canal south of the Hood Canal Floating Bridge.

[Statutory Authority: RCW 77.12.047, 07-05-051 (Order 07-22), § 220-16-270, filed 2/16/07, effective 3/19/07; 04-07-009 (Order 04-39), § 220-16-270, filed 3/4/04, effective 5/1/04; 03-16-097 (Order 03-180), § 220-16-270, filed 8/6/03, effective 9/6/03; 01-03-016 (Order 00-271), § 220-16-270, filed

1/5/01, effective 2/5/01; Order 817, § 220-16-270, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-790 Z's Reef Marine Preserve. "Z's Reef Marine Preserve" is defined as waters and bedlands inside a line beginning at the extreme low water line on the northeast side of Fox Island at 47°14.56'N, 122°35.98'W, then extending 0.5 nautical mile northwesterly along the extreme low water line to 47°14.96'N, 122°36.37'W, then northeast to the minus eighty-five foot depth contour (MLLW = 0 feet) at 47°15.00'N, 122°36.30'W, then southeasterly along the eighty-five foot depth contour to 47°14.67'N, 122°35.81'W, then southwest to the point of origin.

[Statutory Authority: RCW 77.12.047, 07-05-051 (Order 07-22), § 220-16-790, filed 2/16/07, effective 3/19/07; 02-17-017 (Order 02-187), § 220-16-790, filed 8/9/02, effective 9/9/02; 02-08-048 (Order 02-53), § 220-16-790, filed 3/29/02, effective 5/1/02.]

Chapter 220-20 WAC GENERAL PROVISIONS

WAC

220-20-005	Oregon-Washington commercial license reciprocity.
220-20-010	General provisions—Lawful and unlawful acts—Salmon, other fish and shellfish.
220-20-021	Sale of commercially caught sturgeon, bottomfish and halibut.
220-20-100	General provisions—Marine protected areas.

WAC 220-20-005 Oregon-Washington commercial license reciprocity. The following Oregon licenses are equivalent to Washington licenses and are valid in the concurrent waters of the Columbia River:

(1) An Oregon Columbia River gill net salmon vessel permit issued under ORS 508.775 - ORS 508.796 is equivalent to a Washington salmon gill net fishery license issued under RCW 77.65.160 (1)(a) or (c) in the concurrent waters of the Columbia River. A person who holds an Oregon Columbia River gill net salmon vessel permit may land salmon in Washington that were taken in the Columbia River salmon gill net salmon fishery.

(2) An Oregon ocean charter vessel license issued under ORS 830.435 is equivalent to a Washington charter license issued under RCW 77.65.150 in the concurrent waters of the Columbia River downstream of the bridge at Longview, except that an Oregon vessel may not take on or discharge passengers for any purpose from any Washington port, the Washington shore, or a dock, landing, or other point in Washington.

(3) An Oregon outfitter and guide registration issued under ORS 704.020 is equivalent to a Washington professional salmon guide license issued under RCW 77.65.370 or to a Washington professional game fish guide license issued under RCW 77.65.480(3), in the concurrent waters of the Columbia River upstream of the bridge at Longview and downstream of the Oregon boundary in Lake Wallula, except that an Oregon vessel may not take on or discharge passengers for any purpose from any Washington port, the Washington shore, or a dock, landing, or other point in Washington.

[Statutory Authority: RCW 77.12.047, 07-15-068, § 220-20-005, filed 7/17/07, effective 8/17/07. Statutory Authority: RCW 77.65.010, 77.04.020, 77.04.130, 07-03-142, § 220-20-005, filed 1/23/07, effective 2/23/07.]

WAC 220-20-010 General provisions—Lawful and unlawful acts—Salmon, other fish and shellfish. (1) It shall be unlawful to take, fish for, possess or transport for any purpose fish, shellfish or parts thereof, in or from any of the waters or land over which the state of Washington has jurisdiction, or from the waters of the Pacific Ocean, except at the times, places and in the manners and for the species, quantities, sizes or sexes provided for in the regulations of the department.

(2) It shall be unlawful for any person to have in possession or under control or custody any food fish or shellfish within the land or water boundaries of the state of Washington, except in those areas which are open to commercial fishing or wherein the possession, control or custody of salmon or other food fish or shellfish for commercial purposes is made lawful under a statute of the state of Washington or the rules and regulations of the commission or director, unless otherwise provided.

(3) A person may fish for, possess, process and otherwise deal in food fish and fish offal or scrap for any purpose, provided that it shall be unlawful to use any of the following listed species for purposes other than human consumption or fishing bait:

Pacific halibut	(<i>Hippoglossus stenolepis</i>)
Pacific herring	(<i>Clupea harengus pallasii</i>)
(except as prescribed in WAC 220-49-020)	
Salmon	
Chinook	(<i>Oncorhynchus tshawytscha</i>)
Coho	(<i>Oncorhynchus kisutch</i>)
Chum	(<i>Oncorhynchus keta</i>)
Pink	(<i>Oncorhynchus gorbuscha</i>)
Sockeye	(<i>Oncorhynchus nerka</i>)
Masu	(<i>Oncorhynchus masu</i>)
Pilchard	(<i>Sardinops sagax</i>)
Except as provided for in WAC 220-88C-040	

(4) It shall be unlawful for any person to fish for fish or shellfish while in possession in the field of fish or shellfish that are in violation of the harvest regulations for the area being fished. This regulation does not apply to vessels in transit.

(5) It shall be unlawful for the owner or operator of any commercial food fish or shellfish gear to leave such gear unattended in waters of the state or offshore waters unless said gear is marked.

(a) Shellfish pot, bottom fish pot, set line and set net gear must be marked with a buoy to which shall be affixed, in a visible and legible manner, the department approved and registered buoy brand issued to the license, provided that:

(i) Buoys affixed to unattended gear must be visible on the surface of the water except during strong tidal flow or extreme weather conditions.

(ii) When two or more shellfish pots are attached to a common ground line, the number of pots so attached must be clearly labeled on the required buoy.

(b) It is unlawful to operate any gill net, attended or unattended, unless there is affixed, within five feet of each end of the net, a buoy, float, or some other form of marker, visible on the cork line of the net, on which shall be marked in a visible, legible and permanent manner the name and gill-net license number of the fisher.

(c) It shall be unlawful at any time to leave a gill net unattended in the commercial salmon fishery.

(6) It shall be unlawful to place any commercial food fish or shellfish gear in any waters closed to commercial fishing, provided that this provision shall not apply to reef nets or brush weirs or to gear being tested under supervision of the department. In addition, it shall be unlawful to take, fish for or possess food fish with any type of commercial fishing gear in the waters of Carr Inlet north of north latitude 47°20', from August 15 through November 30, except as provided in chapter 220-47 WAC.

(7) It shall be unlawful for the owner or operator of any fishing gear to refuse to submit such gear to inspection in any manner specified by authorized representatives of the department.

(8) It shall be unlawful for any person taking or possessing fish or shellfish taken from any of the waters or beaches of the Columbia River, the state of Washington, or the Pacific Ocean, for any purpose, to fail to submit such fish or shellfish for inspection by authorized representatives of the department.

(9) It shall be unlawful for any person licensed by the department to fail to make or return any report required by the department relative to the taking, selling, possessing, transporting, processing, freezing and storing of fish or shellfish, whether taken within the jurisdiction of the state of Washington or beyond, or on Indian reservations or usual and accustomed Indian fishing grounds.

(10) It shall be unlawful to take, fish for, possess, injure, kill, or molest fish in any fishway, fish ladder, fish screen, holding pond, rearing pond, or other fish protective device, or to interfere in any manner with the proper operation of such fish protective devices.

(11) It shall be unlawful to club, gaff, snag, snare, dip net, harass, spear, stone, or otherwise molest, injure, kill, destroy, or shoot with a firearm, crossbow, bow and arrow, or compressed air gun, any fish or shellfish or parts thereof, or for any person to attempt to commit such acts, or to have any fish, shellfish or parts thereof so taken in possession, except as provided for in this subsection:

(a) A person may use a dip net or club in the landing of fish taken by personal-use angling, unless otherwise provided; and a person may use a gaff in the landing of tuna, halibut and dogfish, and a harpoon in the landing of halibut, in all catch record card areas.

(b)(i) A person may use a dip net, gaff, or club in the landing of food fish or shellfish taken for commercial purposes, except that it is unlawful to use a fish pew, pitchfork, or any other instrument that will penetrate the body of the fish or shellfish that are not going to be retained or are unlawful to possess.

(ii) It is unlawful under any circumstance to use a device that penetrates the body of a sturgeon whether legal to retain or not.

(c) A person may use a spear in underwater spear fishing, as provided for in WAC 220-56-160.

(d) A person may use a bow and arrow or spear to take carp, as provided for in WAC 220-56-280.

(e) A person may snag herring, smelt, anchovies, pilchard, sand lance, and squid when using forage fish jigger gear or squid jigs.

(f) A person may shoot halibut when landing them with a dip net, harpoon or gaff.

(12) It shall be unlawful to take or possess, for any purpose, any fish or shellfish smaller or larger than the lawful minimum or maximum size limits prescribed by department rule. Any such fish either snagged, hooked, netted or gilled must be immediately returned to the water with the least possible injury to the fish or shellfish.

(13) It shall be unlawful to allow salmon or sturgeon or fish unlawful to retain that are entangled in commercial nets to pass through a power block or onto a power reel or drum.

(14) It shall be unlawful to possess, aboard any vessel engaged in commercial fishing or having commercially caught fish aboard, any food fish or shellfish in such condition that its species, length, weight or sex cannot be determined if a species, species group or category, length, weight, or sex limit is prescribed for said species. In addition, it is unlawful to possess food fish or shellfish mutilated in any manner such that the natural length or weight cannot be determined if a length or weight limit is prescribed for said species.

(15) It shall be unlawful to possess for any purpose any fish or shellfish in excess of catch or possession limits prescribed by department rule. Any such fish either snagged, hooked, netted or gilled must be immediately returned to the water with the least possible injury to the fish or shellfish.

(16) A person may possess, transport through the waters of the state, or land, dressed sablefish as defined by WAC 220-16-330.

(17) A person may possess, transport through the waters of the Pacific Ocean, or land, dressed salmon caught during a lawful commercial salmon troll fishery, provided that frozen Chinook salmon, dressed, heads off, shall be 21-1/2 inches minimum, and frozen coho salmon dressed, heads off, shall be 12 inches minimum, measured from the midpoint of the clavicle arch to the fork of the tail.

(18) A person may possess, transport through the waters of the Pacific Ocean, or land, dressed halibut if allowed by International Pacific Halibut Commission (IPHC) rules and such fish meet any IPHC size requirements.

(19) It shall be unlawful in any area to use, operate, or carry aboard a commercial fishing vessel a licensed net or combination of such nets, whether fished singly or separately, in excess of the maximum lawful size or length prescribed for a single net in that area, except as otherwise provided for in the rules and regulations of the department.

(20) It shall be unlawful for any permit holder to fail to comply with all provisions of any special permit or letter of approval issued to him under the authority of the director, or to perform any act not specifically authorized in said document or in the regulations of the commission or director.

(21) It shall be unlawful to use, place or cause to be placed in the waters or on the beaches or tidelands of the state any substance or chemical used for control of predators or

pests affecting fish or shellfish or other aquatic marine organisms, without first having obtained a special permit to do so from the director.

(22) It shall be unlawful to test commercial fishing gear, except as follows:

(a) Bellingham Bay - inside and northerly of a line from Governor's Point to the south tip of Eliza Island to Point Frances, in waters 10 fathoms and deeper.

(b) Boundary Bay - north of a line from Birch Point to Point Roberts, and south of the international boundary, in waters 10 fathoms and deeper during times not under control of the Pacific Salmon Commission.

(c) San Juan Channel - within a 1-mile radius of Point Caution during times not under control of the Pacific Salmon Commission.

(d) Port Angeles - inside and westerly of a line projected from the east tip of Ediz Hook through buoy C "1" to the mainland.

(e) Port Gardner - within a 2-mile radius of the entrance to Everett breakwater, in waters 10 fathoms and deeper.

(f) Central Puget Sound - between lines from Meadow Point to Point Monroe, and Skiff Point to West Point, in waters 50 fathoms and deeper.

(g) East Pass - between lines from Point Robinson true east to the mainland, and from Dash Point to Point Piner, in waters 50 fathoms and deeper.

(h) Port Townsend - westerly of a line from the Coast Guard station in Port Townsend to Walan Point to Kala Point, in waters 10 fathoms and deeper.

(i) All tows or sets are limited to 20 minutes, exclusive of setting and retrieving time.

(j) All testing is to be accomplished between 8:00 a.m. and 4:00 p.m.

(k) Cod ends of trawl nets must be left open, all hooks of set line gear must be unbaited, and no lures or baited hooks shall be used with jig or troll gear.

(l) Any and all incidentally caught fish and shellfish must be returned to the waters immediately, and no fish or shellfish are to be retained aboard the vessel at any time during a gear test operation.

(m) It shall be unlawful for any person conducting such gear testing operations to fail to notify the fish and wildlife enforcement office in Olympia prior to testing.

(23) It is unlawful for any person or corporation either licensed by the department or bringing fish or shellfish into the state to fail to comply with the directions of authorized department personnel related to the collection of sampling data or material from fish or shellfish. It is also unlawful for any such person or corporation to fail to relinquish to the department, upon request, any part of a salmon or other fish containing coded-wire tags, including but not limited to, the snouts of those salmon that are marked by having clipped adipose fins.

(24) It is unlawful for any person to possess live bottom fish taken under a commercial fishery license.

(25) It is unlawful for any person to use chemical irritants to harvest fish, shellfish or unclassified marine invertebrates except as authorized by permit issued by the department.

(26) The lower Columbia River, Grays Harbor and Willapa Bay are closed to commercial sturgeon fishing, except as

provided by emergency rule of the director. Sturgeon taken incidentally during an open commercial salmon fishing period may be retained for commercial purposes as described by department rule.

[Statutory Authority: RCW 77.12.047, 07-21-128 (Order 07-266), § 220-20-010, filed 10/23/07, effective 11/23/07; 07-04-030, § 220-20-010, filed 1/29/07, effective 3/1/07; 06-13-023 (Order 06-135), § 220-20-010, filed 6/13/06, effective 7/14/06; 05-08-056 (Order 05-53), § 220-20-010, filed 3/30/05, effective 4/30/05; 02-08-048 (Order 02-53), § 220-20-010, filed 3/29/02, effective 5/1/02. Statutory Authority: RCW 75.08.080, 77.12.040, 00-08-038 (Order 00-29), § 220-20-010, filed 3/29/00, effective 5/1/00. Statutory Authority: RCW 75.08.080, 00-01-096 (Order 99-214), § 220-20-010, filed 12/15/99, effective 1/15/00. Statutory Authority: RCW 75.08.080, 77.12.040, 98-15-081 (Order 98-122), § 220-20-010, filed 7/15/98, effective 8/15/98. Statutory Authority: RCW 75.08.080, 98-15-031 (Order 98-120), § 220-20-010, filed 7/7/98, effective 8/7/98. Statutory Authority: RCW 77.12.040 and 75.08.080, 98-06-031, § 220-20-010, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080, 93-15-051, § 220-20-010, filed 7/14/93, effective 8/14/93; 91-08-054 (Order 91-13), § 220-20-010, filed 4/2/91, effective 5/3/91; 91-01-023, § 220-20-010, filed 12/10/90, effective 1/10/91; 89-02-022 (Order 88-186), § 220-20-010, filed 12/29/88; 88-10-013 (Order 88-15), § 220-20-010, filed 4/26/88; 85-09-017 (Order 85-20), § 220-20-010, filed 4/9/85; 85-08-023 (Order 85-24), § 220-20-010, filed 4/1/85; 84-08-014 (Order 84-24), § 220-20-010, filed 3/27/84; 82-15-040 (Order 82-83), § 220-20-010, filed 7/15/82; 82-07-047 (Order 82-19), § 220-20-010, filed 3/18/82; 81-02-053 (Order 81-3), § 220-20-010, filed 1/7/81; 80-10-058 (Order 80-83), § 220-20-010, filed 8/6/80; 80-07-017 (Order 80-45), § 220-20-010, filed 6/11/80; 79-10-013 (Order 79-75), § 220-20-010, filed 9/7/79; Order 77-14, § 220-20-010, filed 4/15/77; Order 76-148, § 220-20-010, filed 12/2/76; Order 1193, § 220-20-010, filed 3/4/75; Order 1179, § 220-20-010, filed 11/19/74; Order 1106, § 220-20-010, filed 1/10/74; Order 1057, § 220-20-010, filed 5/22/73; Order 945, § 220-20-010, filed 8/16/71; Order 920, § 220-20-010, filed 5/13/71; Order 817, § 220-20-010, filed 5/29/69; Order 810, § 220-20-010, filed 4/17/69; Order 771-A, § 220-20-010, filed 3/29/68; Order 767, § 1, filed 12/22/67; Order 758, § 3, filed 10/16/67; Order 726, §§ 2, 3, filed 4/24/67; Order 721, § 1, filed 3/9/67; Subsections 1, 2 from Orders 405 and 256, filed 3/1/60; Subsection 3 from Order 677, filed 3/31/66; Subsection 16 from Order 525, filed 5/3/61; Orders 355 and 256, filed 3/1/60; Subsection 4 from Order 591, filed 10/28/63; Orders 479 and 256, filed 3/1/60; Subsection 5 from Orders 383 and 256, filed 3/1/60; Subsections 6, 26, 35 from Order 568, filed 3/26/63; Order 543, filed 3/20/62; Order 507, filed 4/13/60; Order 256, filed 3/1/60; Subsections 7-11, 13-15, 17, 18, 22 from Orders 355 and 256, filed 3/1/60; Subsection 12 from Orders 407 and 256, filed 3/1/60; Subsections 19, 27 from Orders 480 and 256, filed 3/1/60; Subsection 20 from Order 677, filed 3/31/66; Orders 483 and 256, filed 3/1/60; Subsection 23 from Order 677, filed 3/31/66; Order 605, filed 4/21/64; Order 568, filed 3/26/63; Order 543, filed 3/20/62; Order 507, filed 4/13/60; Order 256, filed 3/1/60; Subsection 24 from Order 605, filed 4/21/64; Orders 407 and 256, filed 3/1/60; Subsection 25 from Orders 449 and 256, filed 3/1/60; Subsections 28-33 from Orders 456 and 256, filed 3/1/60; Subsection 34 from Orders 486 and 256, filed 3/1/60; Subsection 36 from Order 591, filed 10/28/63; Subsections 37 and 38 from Order 677, filed 3/31/66; Subsection 39 from Order 672, filed 12/28/65.]

WAC 220-20-021 Sale of commercially caught sturgeon, bottomfish and halibut. (1) It is unlawful for any person while engaged in commercial fishing for sturgeon, bottomfish or halibut to:

(a) Keep sturgeon smaller or greater than the size limits provided for in WAC 220-20-020, keep more than one sturgeon for personal use, or keep more than the equivalent of one daily limit of sport caught bottomfish for personal use. Any lingcod to be retained for personal use taken east of the mouth of the Sekiu River must be greater than 26 inches in length and may not exceed 40 inches in length. All commercially taken sturgeon, bottomfish, and halibut retained for personal use must be recorded on fish receiving tickets.

(b) Sell any sturgeon, bottomfish, or halibut taken under such license to anyone other than a licensed wholesale dealer within or outside the state of Washington, except that a per-

son who is licensed as a wholesale dealer under the provisions of RCW 77.65.280 may sell to individuals or corporations other than licensed wholesale dealers.

(c) Remove from the body cavity of the sturgeon any eggs or roe prior to the time the sturgeon is sold to a wholesale dealer licensed under RCW 77.65.280.

(2) It is unlawful for any wholesale dealer licensed under RCW 77.65.280 to purchase or attempt to purchase sturgeon eggs from sturgeon taken by any person licensed to take sturgeon for commercial purposes under chapter 77.65 RCW if the sturgeon eggs have been removed from the body cavity of the sturgeon prior to the sale of the sturgeon.

(3) It is unlawful to purchase, sell, barter or attempt to purchase, sell, or barter any sturgeon eggs taken from sturgeon caught in the Columbia River below Bonneville Dam.

(4) It is unlawful to remove either the head or tail from a sturgeon prior to the time the sturgeon is sold to a wholesale dealer licensed under RCW 77.65.280 and delivered to a fish processing plant.

[Statutory Authority: RCW 77.12.047, 07-21-128 (Order 07-266), § 220-20-021, filed 10/23/07, effective 11/23/07; 07-04-030, § 220-20-021, filed 1/29/07, effective 3/1/07; 06-05-094 (Order 06-24), § 220-20-021, filed 2/14/06, effective 3/17/06. Statutory Authority: RCW 75.08.080, 97-07-043 (Order 97-51), § 220-20-021, filed 3/14/97, effective 4/14/97; 94-12-009 (Order 94-23), § 220-20-021, filed 5/19/94, effective 6/19/94; 85-08-023 (Order 85-24), § 220-20-021, filed 4/1/85; 82-17-040 (Order 82-105), § 220-20-021, filed 8/13/82.]

WAC 220-20-100 General provisions—Marine protected areas. (1) It is unlawful to fish for or possess fish, shellfish, or wildlife taken from any conservation area defined in chapter 220-16 WAC.

(2) The following marine preserves are closed to the taking of fish, shellfish, and wildlife as indicated:

(a) The Admiralty Head Marine Preserve is closed to the taking of fish and wildlife, and closed to the taking of shellfish except sea cucumbers and sea urchins.

(b) The Colvos Passage Marine Preserve is closed to the taking of shellfish and wildlife, closed to all commercial harvest of fish, and closed to recreational harvest of fish except it is lawful to take salmon for personal use by trolling, defined as fishing from a vessel under power and in gear making forward progress.

(c) The San Juan Island Marine Preserve is closed to the taking of shellfish except it is lawful to take crab from Parks Bay, and closed to the taking of food fish other than salmon except it is lawful to take herring and Yellow and Low Island Preserve is closed to the taking of food fish.

(d) The Titlow Beach Marine Preserve is closed to the taking of shellfish and wildlife, closed to the commercial harvest of all fish, and closed to the recreational harvest of all fish except that it is lawful to take salmon if taken with artificial lures from shore or from a nonmotorized vessel.

(e) The Z's Reef Marine Preserve is closed to the taking of shellfish and wildlife, closed to the commercial harvest of all fish, and closed to the recreational harvest of all fish except that it is lawful to take salmon with fly fishing gear as defined in WAC 220-56-210.

(f) The Seattle city park Marine Preserves (Golden Gardens, Carkeek, Lincoln, Discovery, Emma Schmitz, and Richey Viewpoint) are closed to removal of organisms from the intertidal areas, except that finfish may be harvested using

hook and line gear, provided it is lawful under other WDFW fishing regulations. Any organism except finfish taken by hook and line in the intertidal area must be placed unharmed in the location it was found. Removal of organisms of unclassified marine invertebrates in numbers less than the daily limits is an infraction. All other penalties for larger numbers removed apply.

[Statutory Authority: RCW 77.12.047 and 77.04.020. 07-16-056, § 220-20-100, filed 7/26/07, effective 8/26/07. Statutory Authority: RCW 77.12.047. 07-05-051 (Order 07-22), § 220-20-100, filed 2/16/07, effective 3/19/07; 05-09-009 (Order 05-52), § 220-20-100, filed 4/7/05, effective 5/8/05; 02-08-048 (Order 02-53), § 220-20-100, filed 3/29/02, effective 5/1/02.]

Chapter 220-22 WAC

MANAGEMENT AND CATCH REPORTING AREAS

WAC

220-22-010 Columbia River Salmon Management and Catch Reporting Areas.

WAC 220-22-010 Columbia River Salmon Management and Catch Reporting Areas. (1) **Area 1A** shall include those waters of the Columbia River easterly of a line projected from the inshore end of the north jetty in the state of Washington to the knuckle of the south jetty in the state of Oregon, and westerly of a line projected from Grays Point in Washington to Tongue Point in Oregon.

(2) **Area 1B** shall include those waters of the Columbia River easterly of a line projected from Grays Point in the state of Washington to the flashing 4-second lighted red buoy #44 off the easterly tip of Tongue Point in the state of Oregon, and westerly of a line projected from the 4-second flashing green lighted marker #81 on the Washington bank to a boundary marker on the easterly end of the Beaver Terminal Pier in Oregon, including all waters of Grays Bay, those waters of Deep River downstream of the Highway 4 Bridge, all waters of Seal Slough, those waters of Grays River downstream of a line projected between fishing boundary markers on both banks at the Leo Reisticka farm, and those waters of Elokommin Slough and Elokommin River downstream of the Highway 4 Bridge.

(3) **Area 1C** shall include those waters of the Columbia River easterly of a line projected from the 4-second flashing green lighted marker #81 on the Washington bank to a boundary marker on the easterly end of the Beaver Terminal Pier in Oregon, and westerly of a line projected true west from the east or upstream bank of the Lewis River mouth in Washington.

(4) **Area 1D** shall include those waters of the Columbia River upstream of a line projected true west from the east or upstream bank of the Lewis River mouth in Washington state and westerly of a line projected true north from Rooster Rock in Oregon, and those waters of Camas Slough downstream of the westernmost powerline crossing at the James River mill.

(5) **Area 1E** shall include those waters of the Columbia River easterly of a line projected true north from Rooster Rock in the state of Oregon, and westerly of a line projected from a deadline marker on the Oregon bank (approximately four miles downstream from Bonneville Dam Powerhouse #1) in a straight line through the western tip of Pierce Island,

to a deadline marker on the Washington bank at Beacon Rock.

(6) **Area 1F** (Bonneville Pool) shall include those waters of the Columbia River upstream from the Bridge of the Gods, located approximately 2.3 miles above Bonneville Dam, and downstream of a line projected from the west end of the Port of The Dalles Dock across the Columbia River to a Washington department of fish and wildlife boundary marker on the Washington shore.

(7) **Area 1G** (The Dalles Pool) shall include those waters of the Columbia River upstream from a line projected from an Oregon department of fish and wildlife deadline marker on the Oregon shore to the 5-mile-lock light (6 seconds red) on an island near the Oregon shore, to an island near the Washington shore to a Washington department of fish and wildlife fishing boundary marker on the Washington shore at the southwest corner of Horsethief Lake, SP&S Railroad fill and downstream of a line projected across the thread of the Columbia River at the grain elevator at Rufus, Oregon, to a deadline marker on the Washington shore.

(8) **Area 1H** (John Day Pool) shall include those waters of the Columbia River upstream from a line projected across the thread of the Columbia River from a fishing boundary marker approximately 1/2-mile above the John Day River, Oregon, to a fishing boundary marker on the Washington shore and downstream of a line projected across the thread of the Columbia River from the upstream bank of the Umatilla River.

(9) Select areas:

(a) **Blind Slough Select Area.** Blind Slough fishing area includes all waters from markers at the mouth of Gnat Creek located approximately 0.5 mile upstream of the county road bridge downstream to markers at the mouth of Blind Slough.

(b) **Knappa Slough Select Area.** Knappa Slough fishing area includes all waters bounded by a line from the north marker at the mouth of Blind Slough, westerly to a marker on Karlson Island, downstream to boundary lines defined by markers on the west end of Minaker Island to markers on Karlson Island and the Oregon shore.

(c) **Tongue Point Select Area.** Tongue Point fishing area includes all waters bounded by a line from a marker midway between the red USCG navigation light #2 at the tip of Tongue Point and the downstream (northernmost) pier (#8) at the Tongue Point Job Corps facility, to the flashing green USCG navigation light #3 on the rock jetty at the west end of Mott Island, a line from a marker at the southeast end of Mott Island northeasterly to a marker on the northwest tip of Lois Island, and a line from a marker on the southwest end of Lois Island westerly to a marker on the Oregon shore.

(d) **South Channel Select Area.** South Channel area includes all waters bounded by a line from a marker on John Day Point through the green USCG buoy #7 to a marker on the southwest end of Lois Island upstream to an upper boundary line from a marker on Settler Point northwesterly to the flashing red USCG marker #10, northwesterly to a marker on Burnside Island defining the upstream terminus of South Channel.

(e) **Deep River Select Area.** Deep River fishing area includes all waters downstream of the town of Deep River to

the mouth defined by a line from USCG navigation marker #16 southwest to a marker on the Washington shore.

[Statutory Authority: RCW 77.12.047, 07-09-055 (Order 07-60), § 220-22-010, filed 4/12/07, effective 5/13/07. Statutory Authority: RCW 75.08.080, 79-07-045 (Order 79-42), § 220-22-010, filed 6/22/79; Order 77-14, § 220-22-010, filed 4/15/77; Order 76-35, § 220-22-010, filed 5/11/76.]

Chapter 220-33 WAC

COLUMBIA RIVER—COMMERCIAL FISHERIES BELOW BONNEVILLE DAM

WAC

220-33-001	General provision—Commercial fishing regulated.
220-33-005	Definitions—River mouth sanctuaries.
220-33-010	Salmon.
220-33-020	Sturgeon.

WAC 220-33-001 General provision—Commercial fishing regulated. (1) It is unlawful to fish for food fish in the lower Columbia River for commercial purposes or to possess food fish taken from those waters for commercial purposes, except as provided in this chapter.

(2) In the Columbia River downstream of Bonneville Dam and in the select areas (described in WAC 220-22-010), it shall be lawful to have onboard a commercial fishing vessel more than one licensed net, each of the lawful size or length prescribed for a single net as long as the net or nets are of legal size for the fishery, or the net or nets has a minimum mesh size of 9 inches, and the length of any one net does not exceed 1,500 feet in length.

(a) When specifically authorized by the director, nets not lawful for use at that time and area may be onboard the boat if properly stored.

(b) A properly stored net is defined as a net on a drum that is fully covered by tarp (canvass or plastic) and bound with a minimum of ten revolutions of rope with a diameter of 3/8 (0.375) inches or greater.

[Statutory Authority: RCW 77.12.047, 07-21-128 (Order 07-266), § 220-33-001, filed 10/23/07, effective 11/23/07. Statutory Authority: RCW 75.08.080, 88-18-066 (Order 88-86), § 220-33-001, filed 9/2/88.]

WAC 220-33-005 Definitions—River mouth sanctuaries. As used in this chapter and emergency rules of the director, unless the context clearly requires otherwise:

Grays Bay

(1) "Grays Bay sanctuary" means those waters of the Columbia River and Grays Bay northerly of a line projected from Rocky Point Light (flashing green 4-second) easterly to Harrington Point.

Elokomin

(2) "Elokomin-A sanctuary" means those waters of Elokomin Slough and the Columbia River lying northerly and easterly of a straight line from light "37" on the Washington shore to light "39" on Hunting Island.

(3) "Elokomin-B sanctuary" means those waters of Elokomin Slough, Steamboat Slough and the Columbia River lying inside, northerly and easterly of a straight line from light "35" (group flashing green) located on Price Island to light "39" (flashing green) on Hunting Island and northerly and easterly of a line between flashing light "33" on Price

Island and quick flashing green light "31" on the Washington shore.

Abernathy

(4) "Abernathy sanctuary" means those waters of the Columbia River near the mouth of Abernathy Creek from a point 1,300 yards downstream from Abernathy Creek at light "81" (flashing green 4-second) to a point one-half mile upstream and extending to the mid shipping channel of the Columbia River.

Cowlitz

(5) "Cowlitz sanctuary" means those waters of the Columbia River and Carrolls Channel lying inside the center of the shipping channel between a fishing boundary marker at the junction of the Port of Longview docks and international paper docks on the Washington shore approximately one mile downstream from the Cowlitz River mouth and flashing green light "29A" on Cottonwood Island and also those waters of Carrolls Channel downstream of a line between a fishing boundary marker approximately 3000 feet upstream of the Cowlitz River mouth and a fishing boundary marker on Cottonwood Island.

Kalama

(6) "Kalama-A sanctuary" means those waters of the Columbia River between a fishing boundary marker on the Washington shore approximately one mile downstream and a point one-half mile upstream of the mouth of the Kalama River and lying within one-quarter mile of the Washington shore.

(7) "Kalama-B sanctuary" means those waters of the Columbia River between a fishing boundary marker on the Washington shore approximately one mile downstream and a point one-half mile upstream of the mouth of the Kalama River and extending completely across the Columbia River, excepting those waters west of a line projected from Coffin Rock Light "42" in Oregon to the Kalama Range Light "47A" on the Washington shore.

Lewis

(8) "Lewis-A sanctuary" means those waters of the Columbia River between a point one mile downstream and a point one-half mile upstream of the mouth of the Lewis River and lying within one-quarter mile of the Washington shore.

(9) "Lewis-B sanctuary" means those waters of the Columbia River near the mouth of the Lewis River lying easterly of lines projected from light "79" (flashing green) to the Red Buoy No. 4 thence to a fishing boundary marker on Bachelor Island.

Washougal

(10) "Washougal sanctuary" means those waters of Camas Slough lying upstream from a line projected true north from the most western tip of Lady Island to the Washington shore and inside of the State Highway 14 Bridge.

Oregon

(11) "Big Creek sanctuary" means those waters of the Columbia River at the mouth of Big Creek from the Oregon

shore across Knappa Slough to Karlson Island about one-quarter mile upstream of the east bank of Big Creek, at the Gnat Creek deadline downstream to the east end of Minaker Island which is about three-quarters mile downstream from the west bank at the mouth of Big Creek.

(12) "Sandy River sanctuary" means those waters of the Columbia River within an area at the mouth of the Sandy River which is one-quarter mile in width extending out into the Columbia River from the Oregon bank at a right angle to the thread of the river between a point one mile below and a point at the upper easterly bank at the mouth of the Sandy River.

[Statutory Authority: RCW 77.12.047, 07-09-055 (Order 07-60), § 220-33-005, filed 4/12/07, effective 5/13/07. Statutory Authority: RCW 75.08.080, 89-09-051 (Order 89-21), § 220-33-005, filed 4/18/89; 88-18-066 (Order 88-86), § 220-33-005, filed 9/2/88.]

WAC 220-33-010 Salmon. It is unlawful to fish for salmon in the lower Columbia River for commercial purposes or to possess salmon taken from those waters for commercial purposes, except as provided in this section:

Gear

(1) It is unlawful to use a gill net to fish for salmon if the net exceeds 1,500 feet in length along the cork line.

(2) It is unlawful to use a gill net to fish for salmon with mesh size larger than 9 3/4 inches.

(3) It is unlawful to use a gill net to fish for salmon if the lead line weighs more than two pounds per fathom of net as measured on the cork line, provided that it is lawful to have a gill net with a lead line weighing more than two pounds per fathom aboard a vessel when the vessel is fishing in or transiting through the Tongue Point Select Area, and it is also lawful to have additional weights and anchors attached directly to the lead line in the Deep River, Blind Slough, Knappa Slough and South Channel Select Areas.

(4) From December 1 through March 31 it is lawful for salmon fishers to have smelt or sturgeon gill nets aboard while fishing for salmon.

Fishing periods

(5) The lower Columbia River is closed to commercial salmon fishing, except as provided by emergency rule of the director.

General

(6) Unless otherwise specified by emergency rule of the director, the following areas of the lower Columbia River remain closed during open salmon fishing periods:

(a) All tributaries flowing into the lower Columbia River.

- (b) Grays Bay sanctuary.
- (c) Elokomina-A sanctuary.
- (d) Cowlitz sanctuary.
- (e) Kalama-A sanctuary.
- (f) Lewis-A sanctuary.
- (g) Washougal sanctuary.
- (h) Big Creek sanctuary.
- (i) Sandy River sanctuary.

[Statutory Authority: RCW 77.12.047, 07-09-055 (Order 07-60), § 220-33-010, filed 4/12/07, effective 5/13/07; 00-17-117 (Order 00-146), § 220-33-

010, filed 8/17/00, effective 9/17/00. Statutory Authority: RCW 75.08.080, 88-18-066 (Order 88-86), § 220-33-010, filed 9/2/88.]

WAC 220-33-020 Sturgeon. It is unlawful to fish for sturgeon in the lower Columbia River for commercial purposes or to possess sturgeon taken from those waters for commercial purposes, except as provided in this section:

Gear

(1) It is unlawful to use a gill net to fish for sturgeon if the net exceeds 1,500 feet in length along the cork line.

(2) It is unlawful to use a gill net to fish for sturgeon with mesh size larger than 9 3/4 inches.

(3) It is unlawful to use a gill net to fish for sturgeon if the lead line weighs more than two pounds per fathom of net as measured on the cork line, provided that it is lawful to have a gill net with a lead line weighing more than two pounds per fathom aboard a vessel when the vessel is fishing in or transiting through the Tongue Point Select Area, and it is also lawful to have additional weights and anchors attached directly to the lead line in the Deep River, Blind Slough, Knappa Slough and South Channel Select Areas.

(4) From December 1 through March 31 it is lawful for sturgeon fishers to have smelt or salmon gill nets aboard while fishing for sturgeon.

General

(5) A person engaged in commercial fishing may retain one sturgeon of legal commercial length for personal use.

[Statutory Authority: RCW 77.12.047, 07-21-128 (Order 07-266), § 220-33-020, filed 10/23/07, effective 11/23/07; 00-17-117 (Order 00-146), § 220-33-020, filed 8/17/00, effective 9/17/00. Statutory Authority: RCW 75.08.080, 97-07-043 (Order 97-51), § 220-33-020, filed 3/14/97, effective 4/14/97; 88-18-066 (Order 88-86), § 220-33-020, filed 9/2/88.]

Chapter 220-36 WAC GRAY'S HARBOR

WAC

220-36-023	Grays Harbor salmon—Fall fishery.
220-36-031	Grays Harbor—Season and gear—Sturgeon.

WAC 220-36-023 Grays Harbor salmon—Fall fishery. August 16 through December 31 of each year, it is unlawful to fish for salmon in Grays Harbor for commercial purposes, except that:

Fishing periods

Gill net gear may be used to fish for salmon and sturgeon according to the chart below. All nonlegal sturgeon and non-legal steelhead must be handled with care to minimize injury and must be released immediately:

Time	Areas
5:30 p.m. through 1:30 a.m. October 8, 2007; 9:00 p.m. through 5:00 a.m. October 15, 2007.	2C

Time

6:00 a.m. through 6:00 p.m.
October 11, 2007;
6:00 a.m. through 6:00 p.m.
October 12, 2007;
6:00 a.m. through 6:00 p.m.
October 13, 2007.

Areas

That portion of Area 2A
upstream from the High-
way 101 Bridge at Aber-
deen, to a line projected
from the Lakeside Indus-
tries asphalt plant tower at
a right angle to the thread
of the stream to the oppo-
site shore.

AND

That portion of Area 2D
north and east of a line pro-
jected due south from the
28th street boat launch to
Renney Island, then south-
easterly to Range Marker
G, then to the eastern
boundary of Area 2D at the
Highway 101 Bridge.

(1) Drift gill net gear only. It is unlawful to use set net gear.

(2) Six-inch maximum mesh restriction, no more than 55 meshes deep.

(3) Soak time shall not exceed one hour. Soak time, defined as the time elapsed from when the first of the gill net web is deployed into the water until the gill net web is fully retrieved from the water, must not exceed one hour.

(4) All nonlegal sturgeon and nonlegal steelhead must be handled with care to minimize injury to the fish and must be released immediately to the river/bay or to an operating recovery box.

(5) Quick reporting is required for wholesale dealers and fishers retailing their catch under a "direct retail endorsement." According to WAC 220-69-240(12), reports must be made by 10:00 a.m. the day following landing or within 3 hours of the close of that particular fishery, whichever happens first.

(6) Fishers must take department observers if requested by department staff, when participating in these openings.

(7) The southern population of green sturgeon has been listed by NOAA Fisheries as threatened under the Endangered Species Act, effective July 6, 2006. Most of the green sturgeon taken in Washington fisheries are from the southern population. Therefore, the retention of green sturgeon is prohibited, to protect this federally listed stock.

[Statutory Authority: RCW 77.04.020, 77.12.047, and 77.65.200. 07-17-010, § 220-36-023, filed 8/3/07, effective 9/3/07. Statutory Authority: RCW 77.12.047. 05-17-006 (Order 05-167), § 220-36-023, filed 8/3/05, effective 9/3/05; 04-16-013 (Order 04-183), § 220-36-023, filed 7/22/04, effective 8/22/04; 03-18-004 (Order 03-208), § 220-36-023, filed 8/20/03, effective 9/20/03; 01-13-055 (Order 01-104), § 220-36-023, filed 6/15/01, effective 7/16/01; 00-23-065 (Order 00-240), § 220-36-023, filed 11/15/00, effective 12/16/00. Statutory Authority: RCW 75.08.080. 99-24-104 (Order 99-206), § 220-36-023, filed 11/30/99, effective 12/31/99. Statutory Authority: RCW 75.08.080 and 77.12.040. 98-15-081 (Order 98-122), § 220-36-023, filed 7/15/98, effective 8/15/98. Statutory Authority: RCW 75.08.080. 97-15-148 (Order 97-123), § 220-36-023, filed 7/23/97, effective 8/23/97; 96-13-035 (Order 96-77), § 220-36-023, filed 6/11/96, effective 7/12/96; 95-13-065 (Order 95-76), § 220-36-023, filed 6/19/95, effective 7/20/95; 94-13-014 (Order 94-46), § 220-36-023, filed 6/3/94, effective 7/4/94; 93-14-042 (Order 93-54), § 220-36-023, filed 6/29/93, effective 7/30/93; 90-18-023

(Order 90-77), § 220-36-023, filed 8/24/90, effective 9/24/90; 89-16-056 (Order 89-71), § 220-36-023, filed 7/28/89, effective 8/28/89.]

WAC 220-36-031 Grays Harbor—Season and gear—Sturgeon. It is unlawful to fish for or possess sturgeon taken for commercial purposes from Marine Fish-Shellfish Management and Catch Reporting Area 60B except at those times and with such gear as provided by emergency rule of the director, and subject to the provisions of this section:

It is unlawful to take sturgeon by angling from any vessel that is engaged in commercial sturgeon fishing, has been engaged in commercial sturgeon fishing that same day, or has commercially caught sturgeon aboard.

[Statutory Authority: RCW 77.12.047. 07-21-128 (Order 07-266), § 220-36-031, filed 10/23/07, effective 11/23/07. Statutory Authority: RCW 75.08.080. 90-18-023 (Order 90-77), § 220-36-031, filed 8/24/90, effective 9/24/90; 85-06-033 (Order 85-14), § 220-36-031, filed 3/1/85.]

Chapter 220-40 WAC**WILLAPA HARBOR****WAC**

220-40-027
220-40-031

Salmon—Willapa Bay fall fishery.
Willapa Bay—Seasons and lawful gear—Sturgeon.

WAC 220-40-027 Salmon—Willapa Bay fall fishery. August 16 through December 31 of each year, it is unlawful to fish for salmon in Willapa Bay for commercial purposes or to possess salmon taken from those waters for commercial purposes, except that:

Fishing periods

(1) Gill net gear may be used to fish for salmon and sturgeon as shown below. All nonlegal sturgeon and nonlegal steelhead must be handled with care to minimize injury to the fish and must be released immediately to the river/bay:

Time

6:00 p.m. September 16
through 6:00 p.m. Septem-
ber 21, 2007.

Area

Areas 2G east of a line
drawn true south from the
most waterward exposed
end of the rock jetty located
near Washaway Beach; 2H
west of Willapa Channel
Marker 40; 2M; and 2J north
of a true east-west line
drawn through the North
Entrance Marker to the Nah-
cotta Boat Basin (RF #2).

Area 2K

6:00 p.m. September 19
through 6:00 p.m. Septem-
ber 20, 2007; and 6:00 p.m.
September 27 through 6:00
p.m. September 28, 2007.

Time	Area
6:00 p.m. September 23 through 6:00 p.m. September 28, 2007.	Area 2G east of a line drawn true south from the most waterward exposed end of the rock jetty located near Washaway Beach; Area 2H; Area 2J north of a true east-west line drawn through the North Entrance Marker to the Nahcotta Boat Basin (RF #2); and Area 2M.
6:00 a.m. through 6:00 p.m. October 1, 2007; 6:00 a.m. through 6:00 p.m. October 2, 2007; 6:00 a.m. through 6:00 p.m. October 3, 2007; 6:00 a.m. through 6:00 p.m. October 4, 2007; 6:00 a.m. through 6:00 p.m. October 5, 2007; 6:00 a.m. through 6:00 p.m. October 6, 2007; and 6:00 a.m. through 6:00 p.m. October 7, 2007.	Areas 2G east of a line projected true south from the most waterward exposed end of the rock jetty located near Washaway Beach; 2H; 2M; and 2J north of a true east-west line drawn through the North Entrance Marker to the Nahcotta Boat Basin (RF #2).
7:00 a.m. through 7:00 p.m. October 8, 2007; 7:00 a.m. through 7:00 p.m. October 9, 2007; 7:00 a.m. through 7:00 p.m. October 10, 2007; and 7:00 a.m. through 7:00 p.m. October 11, 2007.	Areas 2G west of a line drawn true north-south through Willapa Channel Marker 10 and east of a line projected true south from the most waterward exposed end of the rock jetty located near Washaway Beach, but excluding the area southerly and easterly of a line from Island Sands Light to Ramsey Point; 2M; and 2J north of a true east-west line drawn through the North Entrance Marker to the Nahcotta Boat Basin (RF #2).
6:00 p.m. November 12, 2007, through 6:00 p.m. November 16, 2007.	Area 2G east of a line drawn true south from the most waterward exposed end of the rock jetty located near Washaway Beach; Area 2H west of Willapa Channel Marker 40; Area 2J north of a true east-west line drawn through the North Entrance Marker to the Nahcotta Boat Basin (RF #2); and Area 2M.
Noon, November 5, 2007, through noon, November 30, 2007.	Areas 2G, 2H, 2J and 2M.

(2) The Tokeland Boat basin is closed to commercial fishing during the openings in Salmon Management and Catch Record Area (SMCRA) 2G, described in this section. The Tokeland Boat basin means the portion of SMCRA 2G bounded on the south by the shoreline of the boat basin, on the west by the seawall, and on the north and east by a line

from the Tokeland Channel Marker "3" (flashing green, 4-seconds), to Tokeland Channel Marker "4," to the tip of the seawall.

Gear

- (3) Gill net gear restrictions - All areas:
 - (a) Drift gill net gear only. It is unlawful to use set net gear.
 - (b) September 1 through October 7, 2007: Six-inch maximum mesh, no more than 55 meshes deep. Net must hang straight from top to bottom. Strings may only be used to secure break-away panels.
 - (c) October 8 through October 31, 2007: Six and one-half inch maximum mesh.
 - (d) November 1 through November 30, 2007: Nine-inch minimum mesh; except that from 6:00 p.m. November 12 through 6:00 p.m. November 16, 2007 (coho directed), use either 6-inch maximum mesh or 9-inch maximum mesh (choose only one), no more than 55 meshes deep. Net must hang straight from top to bottom. Strings may only be used to secure break-away panels.

Other

(4) Quick reporting is required for wholesale dealers and fishers retailing their catch under a "direct retail endorsement." According to WAC 220-69-240(12), reports must be made by 10:00 a.m. the day following landing or within 3 hours of the close of that particular fishery, whichever happens first.

(5) The southern population of green sturgeon has been listed by NOAA Fisheries as threatened under the Endangered Species Act, effective July 6, 2006. Most of the green sturgeon taken in Washington fisheries are from the southern population. Therefore, the retention of green sturgeon is prohibited to protect this federally listed stock.

[Statutory Authority: RCW 77.04.020, 77.12.047, and 77.65.200. 07-17-010, § 220-40-027, filed 8/3/07, effective 9/3/07. Statutory Authority: RCW 77.12.047. 05-17-006 (Order 05-167), § 220-40-027, filed 8/3/05, effective 9/3/05; 04-16-013 (Order 04-183), § 220-40-027, filed 7/22/04, effective 8/22/04; 03-18-004 (Order 03-208), § 220-40-027, filed 8/20/03, effective 9/20/03; 02-16-021 (Order 02-173), § 220-40-027, filed 7/26/02, effective 8/26/02; 01-13-055 (Order 01-104), § 220-40-027, filed 6/15/01, effective 7/16/01; 00-23-065 (Order 00-240), § 220-40-027, filed 11/15/00, effective 12/16/00. Statutory Authority: RCW 75.08.080. 99-24-104 (Order 99-206), § 220-40-027, filed 11/30/99, effective 12/31/99. Statutory Authority: RCW 75.08.080 and 77.12.040. 98-15-081 (Order 98-122), § 220-40-027, filed 7/15/98, effective 8/15/98. Statutory Authority: RCW 75.08.080. 97-15-148 (Order 97-123), § 220-40-027, filed 7/23/97, effective 8/23/97; 96-13-035 (Order 96-77), § 220-40-027, 6/11/96, effective 7/12/96; 95-13-065 (Order 95-76), § 220-40-027, filed 6/19/95, effective 7/20/95; 94-16-017 (Order 94-61), § 220-40-027, filed 7/21/94, effective 8/21/94; 93-14-042 (Order 93-54), § 220-40-027, filed 6/29/93, effective 7/30/93; 90-18-023 (Order 90-77), § 220-40-027, filed 8/24/90, effective 9/24/90; 89-16-056 (Order 89-71), § 220-40-027, filed 7/28/89, effective 8/28/89.]

WAC 220-40-031 Willapa Bay—Seasons and lawful gear—Sturgeon. It is unlawful to fish for or possess sturgeon taken for commercial purposes from Marine Fish-Shellfish Management and Catch Reporting Area 60C except at those times and with such gear as provided by emergency rule of the director, and subject to the provisions of this section:

It is unlawful to take sturgeon by angling from any vessel that is engaged in commercial sturgeon fishing, has been

engaged in commercial sturgeon fishing that same day, or has commercially caught sturgeon aboard.

[Statutory Authority: RCW 77.12.047, 07-21-128 (Order 07-266), § 220-40-031, filed 10/23/07, effective 11/23/07. Statutory Authority: RCW 75.08.080, 91-08-054 (Order 91-13), § 220-40-031, filed 4/2/91, effective 5/3/91; 90-18-023 (Order 90-77), § 220-40-031, filed 8/24/90, effective 9/24/90; 85-06-033 (Order 85-14), § 220-40-031, filed 3/1/85.]

Chapter 220-44 WAC

COASTAL WATERS—MARINE FISH

WAC

220-44-020	Coastal baitfish gear.
220-44-030	Coastal bottomfish gear.
220-44-035	Highly migratory species fisheries—Possession and landing requirements—Gear restriction.
220-44-040	Coastal bottomfishing areas and seasons.
220-44-050	Coastal bottomfish catch limits.
220-44-080	Otter trawl logbook required.
220-44-090	Far offshore fishery.
220-44-100	Bottomfish caught during research.

WAC 220-44-020 Coastal baitfish gear. It is unlawful to fish for or possess smelt, anchovies, candlefish, herring, or pilchard taken for commercial purposes from Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A-1, 59A-2, 59B, 60A-1, or 60A-2, except as provided for in this section.

(1)(a) It is unlawful to fish for or possess smelt taken for commercial purposes except by hand net gear not exceeding 72 inches maximum frame width. It is unlawful to take smelt for commercial purposes during weekly closed periods from 8:00 a.m. Friday to 8:00 a.m. Sunday.

(b) Licensing: A smelt dip bag net fishery license is the license required to operate the gear provided for in this section.

(c) Incidental catch: It is lawful to retain only anchovies and candlefish taken incidental to a lawful smelt fishery.

(2)(a) It is unlawful to fish for or possess candlefish or anchovies taken for commercial purposes with any gear except purse seine or lampara not exceeding 1,400 feet in length nor having mesh size less than 1/2 inch, or dip bag net not exceeding 72 inches maximum frame width.

(b) Licensing:

(i) A baitfish lampara fishery license is the license required to operate the lampara gear provided for in this section.

(ii) A baitfish purse seine fishery license is the license required to operate the purse seine gear provided for in this section.

(iii) A smelt dip bag net fishery license is the license required to operate the hand dip net gear provided for in this section.

(c) Incidental catch: It is lawful to retain only shad and pilchard taken incidental to a lawful anchovy or candlefish fishery. Pilchard may not exceed twenty-five percent of the weight of the landing. Any sturgeon must be released unharmed.

(3)(a) It is unlawful to fish for or possess herring or pilchard taken for commercial purposes except as authorized by permit issued by the director, except pilchard taken incidental to candlefish and anchovy.

(b) Licensing:

(i) An emerging commercial fishery license is the license required for a permittee to fish for or retain pilchard.

(ii) Herring dip bag net, herring drag seine, herring gill net, herring lampara, or herring purse seine are the licenses required for a permittee to fish for or to retain herring.

(4)(a) Violation of licensing requirements under this section is punishable pursuant to RCW 77.15.500.

(b) Violation of gear requirements under this section is punishable pursuant to RCW 77.15.520.

(c) Violation of catch requirements under this section is punishable pursuant to RCW 77.15.550.

[Statutory Authority: RCW 77.12.047, 07-23-002 (Order 07-279), § 220-44-020, filed 11/7/07, effective 12/8/07; 01-07-016 (Order 01-36), § 220-44-020, filed 3/13/01, effective 4/13/01. Statutory Authority: RCW 75.08.080, 94-12-009 (Order 94-23), § 220-44-020, filed 5/19/94, effective 6/19/94; 84-08-014 (Order 84-24), § 220-44-020, filed 3/27/84; 79-06-085 (Order 79-38), § 220-44-020, filed 6/4/79; 78-10-046 (Order 78-83), § 220-44-020, filed 9/20/78; 78-05-067 and 78-06-002 (Order 78-20), § 220-44-020, filed 4/27/78 and 5/4/78; 78-04-039 (Order 78-11), § 220-44-020, filed 3/20/78; Order 77-14, § 220-44-020, filed 4/15/77; Order 1221, § 220-44-020, filed 7/1/75; Order 813, § 220-44-020, filed 5/5/69; Order 726, § 4 (part), filed 4/24/67; subsection 1 from Order 547, filed 7/5/62; Orders 384 and 256, filed 3/1/60; subsection 2 from Orders 448 and 256, filed 3/1/60; subsection 3 from Orders 397 and 256, filed 3/1/60; subsections 4 and 5 from Orders 355 and 256, filed 3/1/60; subsection 6 from Orders 406 and 256, filed 3/1/60.]

WAC 220-44-030 Coastal bottomfish gear. (1)(a) It is unlawful to take, fish for, possess, transport through the waters of the state, or land in any Washington state ports, bottomfish taken for commercial purposes in violation of gear requirements published in the Code of Federal Regulations (CFR), Title 50, Part 660, Subpart G. This subpart provides requirements for commercial groundfish fishing in the Pacific Ocean. Additional regulations may be listed in the Federal Register, and these override the CFR if there are any inconsistencies. Prior to using coastal bottomfish gear, a person must consult both the Federal Register and the CFR. This chapter, chapter 220-44 WAC, adopts the federal regulations imposed by the CFR and the Federal Register, and it incorporates those regulations by reference. Where rules refer to the fishery management area, that area is extended to include Washington state waters coterminous with the Exclusive Economic Zone. A copy of the federal rules may be obtained by contacting Lori Preuss at 360-902-2930, or going on the internet at www.pcouncil.org. State regulations may apply that are more restrictive than federal regulations.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.520.

(2) Otter trawl and beam trawl.

(a) It is unlawful to use, operate, or carry aboard any fishing vessel otter trawl gear having meshes measuring less than 3 inches anywhere in the net.

(b) It is unlawful to use or operate any bottom roller or bobbin trawl having meshes less than 4.5 inches anywhere in the net. Rollers, bobbins, or discs used in roller or bobbin trawls must be a minimum of 14 inches in diameter.

(c) It is unlawful to use or operate a pelagic trawl with meshes less than 3.0 inches anywhere in the net. Footropes of pelagic trawls must be less than 1.75 inches in diameter, including twine necessary for seizing material. Sweep lines, including the bottom leg of the bridle, must be bare.

(d) It is unlawful to use or operate a pelagic trawl net unless bare rope or webbing with an individual mesh size no smaller than 16 inches completely encircles the net immediately behind the footrope or headrope for at least 20 feet. A band of mesh may encircle the net under transfer cables, or lifting or splitting straps (chokers), but the band must be: Over riblines and restraining straps; of the same mesh size, and coincide knot-to-knot with the net to which it is attached; and no wider than 16 meshes.

(e) It is unlawful to use or operate a trawl net that has chafing gear encircling more than 50 percent of the circumference of any bottom, roller, bobbin, or pelagic trawl, except as specified in (d) of this subsection. No section of chafing gear may be longer than 50 meshes of the body of the net to which it is attached. Except at the corners, the terminal end of each section of chafing gear must not be connected to the net. Chafing gear must be attached outside any rib lines and restraining straps. There is no limit on the number of sections of chafing gear on a net.

(f) It is unlawful to use double-wall cod ends in any trawl gear.

(g) Licensing: A food fish trawl, non-Puget Sound fishery license is the license required to operate the gear provided for in this section. Additionally, a federal limited entry permit is required in Areas 59A-1, 59A-2, 59B, 60A-1, and 60A-2, and that portion of Area 58B within the Exclusive Economic Zone.

(h) Violation of licensing requirements under this subsection is punishable pursuant to RCW 77.15.500.

(i) Violation of gear requirements under this subsection is punishable pursuant to RCW 77.15.520.

(3) Set lines.

(a) It is unlawful for the operator of set lines to leave such gear unattended, unless the following requirements are met:

(i) Gear must be marked with a buoy. The buoy must have affixed to it in a visible and legible manner a department-approved and registered buoy brand issued to the licensee. Set lines must also be marked at the surface at each terminal end with a pole and flag, light, and radar reflector.

(ii) Buoys affixed to unattended gear must be visible on the surface of the water except during strong tidal flow or extreme weather conditions.

(iii) Set lines must be attended to no less than every seven days.

(b) Licensing: A food fish set line fishery license is the license required to operate the gear provided for in this section.

(c) Violation of licensing requirements under this subsection is punishable pursuant to RCW 77.15.500.

(4) Bottomfish pots.

(a) It is unlawful for the operator of bottomfish pots to leave such gear unattended, unless the following requirements are met:

(i) Gear must be marked with a buoy. The buoy must have affixed to it, in a visible and legible manner, a department-approved and registered buoy brand issued to the licensee.

(ii) Bottomfish pots laid on a ground line must be marked at the surface with a pole and a flag, light, and radar reflector at each terminal end.

(iii) Buoys affixed to unattended gear must be visible on the surface of the water except during strong tidal flow or extreme weather conditions.

(iv) Bottomfish pots must be attended to no less than every seven days.

(b) Licensing: A bottomfish pot fishery license is the license required to operate the gear provided for in this section.

(c) Violation of licensing requirements under this subsection is punishable pursuant to RCW 77.15.500.

(5) Commercial jig gear.

(a) Licensing: A bottomfish jig fishery license is the license required to operate the gear provided for in this section.

(b) Violation of licensing requirements under this subsection is punishable pursuant to RCW 77.15.500.

(6) Troll lines.

(a) Licensing: A bottomfish troll fishery license is the license required to operate the gear provided for in this section.

(b) Violation of licensing requirements under this subsection is punishable pursuant to RCW 77.15.500.

[Statutory Authority: RCW 77.12.047, 07-23-002 (Order 07-279), § 220-44-030, filed 11/7/07, effective 12/8/07; 01-02-060 (Order 00-266), § 220-44-030, filed 12/29/00, effective 1/29/01. Statutory Authority: RCW 75.08.080, 98-05-043, § 220-44-030, filed 2/11/98, effective 3/14/98; 96-11-055 (Order 96-43), § 220-44-030, filed 5/9/96, effective 6/9/96; 94-12-009 (Order 94-23), § 220-44-030, filed 5/19/94, effective 6/19/94; 92-07-008 (Order 92-07), § 220-44-030, filed 3/6/92, effective 4/16/92; 88-22-033 (Order 88-157), § 220-44-030, filed 10/27/88; Statutory Authority: RCW 75.08.080, 88-22-033 (Order 88-157), § 220-44-030, filed 10/27/88; 84-08-014 (Order 84-24), § 220-44-030, filed 3/27/84; 82-14-056 (Order 82-72), § 220-44-030, filed 7/1/82; 82-03-045 (Order 82-6), § 220-44-030, filed 1/19/82; 81-02-053 (Order 81-3), § 220-44-030, filed 1/7/81; 79-03-014 (Order 79-11), § 220-44-030, filed 2/15/79; 78-04-039 (Order 78-11), § 220-44-030, filed 3/20/78.]

WAC 220-44-035 Highly migratory species fisheries—Possession and landing requirements—Gear restriction.

(1) It is unlawful to possess, transport through the waters of the state, or land into any Washington port, highly migratory species taken in violation of any permit or data collection requirements as published in the Code of Federal Regulations (CFR), Title 50, Part 660, Subpart G. These federal regulations provide the requirements for highly migratory species fisheries in the Pacific Ocean. There may be additional regulations listed in the Federal Register, and these override the regulations in the CFR if there are any inconsistencies between the two. Chapter 220-44 WAC incorporates the CFR by reference and is based, in part, on the CFR. Where rules refer to the fishery management area, that area is extended to include Washington state waters coterminous with the Exclusive Economic Zone. A copy of the federal rules may be obtained by contacting Lori Preuss at 360-902-2930, or the internet at www.pcouncil.org. State regulations may apply that are more restrictive than federal regulations.

(2) Except as authorized under the federal rules referenced in this subsection, it is unlawful to use drift gill net gear in state and offshore waters west of the Bonilla-Tatoosh line, north of the Washington-Oregon boundary, and south of the United States-Canada boundary.

(3) Violation of reporting requirements under this section is punishable pursuant to RCW 77.15.280.

(4) Violation of gear requirements under this section is punishable pursuant to RCW 77.15.520.

[Statutory Authority: RCW 77.12.047, 07-23-002 (Order 07-279), § 220-44-035, filed 11/7/07, effective 12/8/07; 05-17-003 (Order 05-165), § 220-44-035, filed 8/3/05, effective 9/3/05; 02-02-051 (Order 01-288), § 220-44-035, filed 12/27/01, effective 1/27/02.]

WAC 220-44-040 Coastal bottomfishing areas and seasons. (1)(a) It is unlawful to possess, transport through the waters of the state, or land in any Washington state port bottomfish in violation of any area or time closure or requirement as published in the Code of Federal Regulations (CFR), Title 50, Part 660, Subpart G. These federal regulations provide the requirements for commercial groundfish fishing in the Pacific Ocean. There may be additional regulations listed in the Federal Register, and these override the regulations in the CFR if there are any inconsistencies between the two. Chapter 220-44 WAC incorporates the CFR by reference and is based, in part, on the CFR. Where rules refer to the fishery management area, that area is extended to include Washington state waters coterminous with the Exclusive Economic Zone. A copy of the federal rules may be obtained by contacting Lori Preuss at 360-902-2930, or the internet at www.pccouncil.org. State regulations may apply that are more restrictive than federal regulations.

(b) Violation of catch requirements under this subsection is punishable pursuant to RCW 77.15.550.

(2)(a) It is unlawful to use otter trawl or beam trawl gear in state territorial waters (0-3 miles) within Areas 58B, 59A-1, 59A-2, 59B, 60A-1 or 60A-2.

(b) Violation of gear requirements under this subsection is punishable pursuant to RCW 77.15.520.

(3)(a) It is unlawful for vessels using trawl gear to take and retain or possess groundfish within the trawl Rockfish Conservation Area (RCA) or Essential Fish Habitat (EFH) zones, except that:

(i) Trawl gear vessels may transit through the trawl RCA or EFH zones with groundfish onboard, as long as the vessel does not fish for any species within the RCA or EFH zone on the same trip; and

(ii) The activity is otherwise authorized under federal regulations.

(b) For purposes of this section, "trawl RCA and EFH zones" means those areas and boundaries defined as "trawl RCA" or "EFH zone" in the Code of Federal Regulations (CFR), Title 50, Part 600, Subpart G. The CFR lists the requirements for commercial groundfish fishing in the Pacific Ocean. Additional regulations may be enacted and listed in the Federal Register, and these regulations override those in the CFR if there are any inconsistencies between the two.

(c) Violation of catch requirements under this subsection is punishable pursuant to RCW 77.15.550.

(4)(a) It is unlawful for vessels using nontrawl gear to take and retain or possess groundfish within the nontrawl Rockfish Conservation Area (RCA), or to land such fish, except that:

(i) Nontrawl gear vessels may travel through the nontrawl RCA with groundfish onboard as long as the vessel does not fish for any species within the RCA on the same trip; and

(ii) The activity is otherwise authorized under federal regulations.

(b) For purposes of this section, "nontrawl RCA" means those areas and boundaries defined as "nontrawl RCA" in the Code of Federal Regulations (CFR), Title 50, Part 600, Subpart G. The CFR lists the requirements for commercial groundfish fishing in the Pacific Ocean. Additional regulations may be enacted and listed in the Federal Register, and these supersede the federal regulations in the CFR if there are any inconsistencies between the two.

(c) Violation of catch requirements under this subsection is punishable pursuant to RCW 77.15.550.

(5)(a) It is unlawful to use set line gear in state territorial waters (0-3 miles) within Areas 58B, 59A-1, 59A-2, 59B, 60A-1 and 60A-2, and in that portion of Area 58B within the Exclusive Economic Zone.

(b) Violation of catch requirements under this subsection is punishable pursuant to RCW 77.15.550.

(6)(a) It is unlawful to use bottomfish pots in state territorial waters (0-3 miles) within Areas 58B, 59A-1, 59A-2, 59B, 60A-1 and 60A-2, and in that portion of Area 58B within the Exclusive Economic Zone.

(b) Violation of catch requirements under this subsection is punishable pursuant to RCW 77.15.550.

(7)(a) It is unlawful to use commercial jig gear in state territorial waters (0-3 miles) within Areas 58B, 59A-1, 59A-2, 59B, 60A-1 and 60A-2, and in that portion of Area 58B within the Exclusive Economic Zone.

(b) Violation of catch requirements under this subsection is punishable pursuant to RCW 77.15.550.

(8)(a) It is unlawful to use bottomfish troll gear in state territorial waters (0-3 miles) within Areas 58B, 59A-1, 59A-2, 59B, 60A-1 and 60A-2, and in that portion of Area 58B within the Exclusive Economic Zone.

(b) Violation of catch requirements under this subsection is punishable pursuant to RCW 77.15.550.

[Statutory Authority: RCW 77.12.047, 07-23-002 (Order 07-279), § 220-44-040, filed 11/7/07, effective 12/8/07. Statutory Authority: RCW 75.08.080, 84-08-014 (Order 84-24), § 220-44-040, filed 3/27/84; 83-10-016 (Order 83-31), § 220-44-040, filed 4/26/83; 82-14-056 (Order 82-72), § 220-44-040, filed 7/1/82; 81-02-053 (Order 81-3), § 220-44-040, filed 1/7/81; 79-03-014 (Order 79-11), § 220-44-040, filed 2/15/79; 78-04-039 (Order 78-11), § 220-44-040, filed 3/20/78.]

WAC 220-44-050 Coastal bottomfish catch limits.

(1)(a) It is unlawful to possess, transport through the waters of the state, or land in any Washington state port, bottomfish taken in excess of the amounts or less than the minimum or maximum sizes, or in violation of any of the possession, landing, or sorting requirements published in the Code of Federal Regulations (CFR), Title 50, Part 660, Subpart G. These federal regulations provide the requirements for commercial groundfish fishing in the Pacific Ocean. Additional regulations may be enacted and listed in the Federal Register, and these regulations override those in the CFR if there are any inconsistencies between the two. Therefore, persons must consult these federal regulations, which chapter 220-44 WAC incorporates by reference and is based on, in part. Where rules refer to the fishery management area, that area is extended to include Washington state waters coterminous with the Exclusive Economic Zone. A copy of the federal rules may be obtained by contacting Lori Preuss at 360-902-

2930, or the internet at www.pcouncil.org. State regulations may apply that are more restrictive than federal regulations.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(2)(a) It is unlawful to possess, transport through the waters of the state, or land into any Washington port, walleye pollock taken with trawl gear from Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A-1, 59A-2, 59B, 60A-1, 60A-2, 61, 62, or 63, except by trawl vessels participating in the directed Pacific whiting fishery and the directed coastal groundfish fishery.

(b) Violation of this section is a gross misdemeanor, punishable under RCW 77.15.550.

(3)(a) It is unlawful for trawl vessels participating in the directed Pacific whiting and/or the directed coastal groundfish fishery to land incidental catches of walleye pollock greater than forty percent of their total landing by weight, not to exceed ten thousand pounds.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(4)(a) It is unlawful for an original receiver to receive whiting and whiting by-catch under the authority of an exempted fishing permit (EFP) issued by NMFS through the department, unless the original receiver has entered into a signed agreement with the department specifying the responsibilities of the original receiver in conjunction with the whiting EFP fishery. Failure to comply with the terms of the agreement shall be cause to remove the original receiver from the list of original receivers allowed to receive unsorted whiting catches from EFP vessels.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(5)(a) It is unlawful to land thresher shark taken by any means from state and offshore waters of the Pacific Ocean north of the Washington-Oregon boundary and south of the United States-Canada boundary. It is unlawful to land thresher shark taken south of the Washington-Oregon boundary unless each thresher shark landed is accompanied by a minimum of two swordfish.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(6)(a) It is unlawful to take salmon incidental to any lawful bottomfish fishery.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(7)(a) It is unlawful to retain sturgeon species, other than white sturgeon, taken incidental to any lawful bottomfish fishery. White sturgeon may be taken as long as the fisher complies with minimum and maximum size restrictions for commercial fisheries.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(8)(a) It is unlawful to retain any species of shellfish taken incidental to any lawful bottomfish fishery, except that it is lawful to retain octopus and squid.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

[Statutory Authority: RCW 77.12.047, 07-23-002 (Order 07-279), § 220-44-050, filed 11/7/07, effective 12/8/07; 03-05-078 (Order 03-31), § 220-44-050, filed 2/18/03, effective 3/21/03; 02-02-051 (Order 01-288), § 220-44-050, filed 12/27/01, effective 1/27/02; 01-13-002 (Order 01-103), § 220-44-

050, filed 6/6/01, effective 7/7/01. Statutory Authority: 2000 c 107 § 7. 00-16-033 (Order 00-124), § 220-44-050, filed 7/24/00, effective 8/24/00. Statutory Authority: RCW 75.08.080, 98-15-033 (Order 98-121), § 220-44-050, filed 7/7/98, effective 8/7/98; 98-05-043, § 220-44-050, filed 2/11/98, effective 3/14/98; 96-11-055 (Order 96-43), § 220-44-050, filed 5/9/96, effective 6/9/96; 95-08-069 (Order 95-29), § 220-44-050, filed 4/4/95, effective 5/5/95; 94-13-077 (Order 94-51), § 220-44-050, filed 6/10/94, effective 7/11/94; 93-07-093 (Order 93-16), § 220-44-050, filed 3/22/93, effective 4/22/93; 92-07-008 (Order 97-07), § 220-44-050, filed 3/6/92, effective 4/16/92; 91-07-050 (Order 91-12), § 220-44-050, filed 3/18/91, effective 4/18/91; 90-13-108 (Order 90-26), § 220-44-050, filed 6/21/90, effective 7/22/90. Statutory Authority: RCW 75.08.070 and 75.08.080, 89-14-069 (Order 89-54), § 220-44-050, filed 6/30/89; 89-06-030 (Order 89-07), § 220-44-050, filed 2/24/89; 88-14-020 (Order 88-42), § 220-44-050, filed 6/28/88. Statutory Authority: RCW 75.08.080, 87-07-042 (Order 87-17), § 220-44-050, filed 3/16/87; 86-12-027 (Order 86-39), § 220-44-050, filed 5/28/86. Statutory Authority: RCW 75.08.070 and 75.08.080, 85-07-022 (Order 85-17), § 220-44-050, filed 3/13/85. Statutory Authority: RCW 75.08.080, 84-08-014 (Order 84-24), § 220-44-050, filed 3/27/84; 83-17-030 (Order 83-88), § 220-44-050, filed 8/10/83; 83-10-016 (Order 83-31), § 220-44-050, filed 4/26/83.]

WAC 220-44-080 Otter trawl logbook required. (1) It is unlawful for any vessel operator engaged in commercial otter trawl fishing in Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A-1, 59A-2, 59B, 60A-1, 60A-2, 61, 62, and 63, or possessing groundfish taken with such gear from those areas, to fail to obtain and accurately maintain the appropriate logbook.

(2) It is unlawful for the operator of the harvest vessel to fail to keep the logbook aboard the vessel while the vessel is engaged in groundfish fishing or has groundfish onboard.

(3) It is unlawful for the vessel operator to fail to submit harvest logs for inspection upon request by fish and wildlife officers and/or authorized department employees.

(4) It is unlawful for any vessel operator engaged in groundfish fishing to fail to comply with the following methods and time frames of logbook submittal:

(a) Vessel operators responsible for submitting logs to the department must maintain a copy of all submitted logs for up to three years after the fishing activity ended. The copies must verify that logs sent by mail were received by the department, except that operators submitting logs directly to authorized department employees must record the name and date of the contact on the fisherman's copy of the log. The operators must maintain these copies for up to three years after the fishing activity ended.

(b) The department's copies of completed log sheets must be submitted to the department for each month in which fishing activity occurs. The department's copies must be received within ten days following any calendar month in which fishing activity occurred, or within ten days following the termination of the commercial fishing activity, whichever occurs first.

(5) It is unlawful for vessel operators engaged in commercial groundfish fishing or possessing groundfish to fail to permanently and legibly record in ink the following information within the following time constraints:

(a) For each vessel trip, the operator shall record the vessel name and registration number, crew size, departure and return date and time, and buyers of fish landed.

(b) For each trawl tow conducted, the vessel operator shall record the month and day, time gear was set and retrieved, latitude and longitude fished, depth at which most fish were caught, net type, target species, and estimated

weight of fish species retained. Species or species groups with trip or cumulative limits must be identified separately and cannot be recorded in combination with other species.

(6) Violation of this section is a misdemeanor, punishable under RCW 77.15.280.

[Statutory Authority: RCW 77.12.047, 07-23-002 (Order 07-279), § 220-44-080, filed 11/7/07, effective 12/8/07. Statutory Authority: 2000 c 107 § 7, 00-16-033 (Order 00-124), § 220-44-080, filed 7/24/00, effective 8/24/00. Statutory Authority: RCW 75.08.080, 98-05-043, § 220-44-080, filed 2/11/98, effective 3/14/98; 85-08-023 (Order 85-24), § 220-44-080, filed 4/1/85.]

WAC 220-44-090 Far offshore fishery. (1)(a) It is unlawful for any fisher to transport through the waters of the state, or to land in any Washington state port, bottomfish taken outside the Exclusive Economic Zone (more than 200 miles offshore), except that any fisher may transport bottomfish through the waters of the state or land bottomfish taken without the Exclusive Economic Zone, provided:

(i) The fisher has, at least 48 hours prior to participating in the far offshore fishery, notified the department either by writing to the Washington Department of Fish and Wildlife, 48A Devonshire Road, Montesano, WA 98563; or telephoning the department during regular business hours, Monday through Friday, at 360-586-6129. The fisher must provide the following information: Vessel name and official number; anticipated fishing dates; anticipated port of landing;

(ii) The fisher makes the vessel available for a hold inspection, if required to do so by the department, prior to departure for the far offshore fishery; and

(iii) The fisher notifies the department at least 24 hours prior to landing bottomfish at any Washington state port. The fisher must provide the following information: Port of landing; estimated date and time of landing; estimated species composition, and weight of fish aboard.

(b) Violation of this subsection is a misdemeanor, punishable under RCW 77.15.280.

(2)(a) It is unlawful for any fisher to fish within, or to land fish taken from within, the Exclusive Economic Zone during any trip for which a declaration to participate in the far offshore fishery has been made.

(b) Violation of this subsection is a misdemeanor, punishable under RCW 77.15.280.

(3)(a) Fishers participating in the far offshore fishery are required to be properly licensed in order to land bottomfish into a Washington state port.

(b) Violation of catch restrictions is punishable pursuant to RCW 77.15.550.

(4) This section does not apply to bottomfish that have been previously landed in another state, territory, or country; does not apply to delivery by vessels other than the catcher vessel; and does not apply to bottomfish taken in Canadian territorial waters.

[Statutory Authority: RCW 77.12.047, 07-23-002 (Order 07-279), § 220-44-090, filed 11/7/07, effective 12/8/07. Statutory Authority: RCW 75.08.080, 94-12-009 (Order 94-23), § 220-44-090, filed 5/19/94, effective 6/19/94.]

WAC 220-44-100 Bottomfish caught during research. (1) Vessels engaged in chartered research for the National Marine Fisheries Service (NMFS) or the International Pacific Halibut Commission (IPHC) may land and sell bottomfish caught during that research without the catch

being counted toward any trip or cumulative limit for the participating vessel.

(2) Vessels that have been compensated for research work by NMFS or IPHC with an exempted fishing permit (EFP) to land fish as payment for such research may land and sell fish authorized under the EFP without the catch being counted toward any trip or cumulative limit for the participating vessel.

(3) Any bottomfish landed during authorized NMFS or IPHC research or under the authority of a compensating EFP for past-chartered research work must be reported on a separate fish receiving ticket and not included on any fish receiving ticket reporting bottomfish landed as part of any trip or cumulative limit.

(4) Bottomfish landed under the authority of NMFS or IPHC research work or an EFP-compensating research with fish must be clearly marked "NMFS Compensation Trip" or "IPHC Compensation Trip" on the fish receiving ticket in the space reserved for dealer's use.

(5) The NMFS or IPHC scientist in charge must sign the fish receiving ticket in the area reserved for dealer's use if any bottomfish are landed during authorized NMFS or IPHC research. If the fish are landed under the authority of an EFP as payment for research work, the EFP number must be listed in the dealer's use space.

[Statutory Authority: RCW 77.12.047, 07-23-002 (Order 07-279), § 220-44-100, filed 11/7/07, effective 12/8/07.]

Chapter 220-47 WAC PUGET SOUND—SALMON

WAC

220-47-001	Puget Sound salmon—Quick reporting.
220-47-302	Puget Sound—Lawful gear—Gill net.
220-47-310	Puget Sound net seasons—Time.
220-47-311	Purse seine—Open periods.
220-47-325	Purse seine—Release of incidentally caught fish.
220-47-401	Reef net open periods.
220-47-411	Gill net—Open periods.

WAC 220-47-001 Puget Sound salmon—Quick reporting. All Puget Sound salmon fisheries are designated as "quick reporting required" fisheries, and commercial purchasers and receivers must comply with the provisions of WAC 220-69-240(12).

[Statutory Authority: RCW 77.12.047 and 77.04.020, 07-20-006, § 220-47-001, filed 9/20/07, effective 10/21/07. Statutory Authority: RCW 77.12.047, 05-17-002 (Order 05-166), § 220-47-001, filed 8/3/05, effective 9/3/05. Statutory Authority: RCW 75.08.080, 78-05-018 (Order 78-16), § 220-47-001, filed 4/13/78; Order 77-14A, § 202-47-001 (codified as WAC 220-47-001), filed 4/21/77; Order 77-14, § 220-47-001, filed 4/15/77.]

WAC 220-47-302 Puget Sound—Lawful gear—Gill net. (1) It is unlawful to use drift gill net salmon gear in Puget Sound that exceeds 1,800 feet in length or contains meshes of a size less than 5 inches, except in Area 9A, where gill nets may not exceed 600 feet in length, or be more than 60 mesh deep, or contain mesh size less than 5 inches.

(2) It is unlawful to use skiff gill net salmon nets in Puget Sound that exceed 300 feet in length or 90 meshes in depth, or that contain meshes of a size less than 5 inches, except in Area 9A, where gill nets may not exceed 600 feet in length, or be more than 60 meshes deep, or contain mesh size less

than 5 inches. It is unlawful to retrieve skiff gill nets by any means except by hand (no hydraulics may be used). It is unlawful to fail to attend to skiff gill nets at all times.

(3) Drift gill nets and skiff gill nets shall be operated substantially in a straight line. It is unlawful to set such nets in a circle or to set them in other than a substantially straight line.

(4) It is unlawful to take or fish for salmon with gill net gear in Areas 7 or 7A sockeye or pink salmon fisheries unless said gill net gear is constructed so that the first 20 meshes below the cork line are composed of five-inch mesh, white opaque, minimum 210/30d (#12) diameter, nylon twine.

(5) It is unlawful to take or fish for salmon with gill net gear in Areas 7 or 7A between the dates of September 30 and October 20 unless the gill net vessel has aboard and uses operable recovery boxes as described in this subsection.

(a) Dimensions and capacities of required recovery boxes:

(i) Recovery boxes must have two chambers, if one box, or one chamber in each box, if two boxes.

(ii) Each recovery box chamber must have an inside length measurement of 48 inches, an inside width measurement of 10 inches, and an inside height measurement of 16 inches.

(iii) Each chamber of the recovery box must have an inlet hole measuring between 3/4 inch and 1 inch in diameter. The inlet hole must be centered horizontally across the door or wall of the chamber, and the bottom of the hole must be located 1-3/4 inches above the floor of the chamber.

(iv) Each chamber of the recovery box must include a water outlet hole on the opposite wall from the inlet hole, and the outlet hole must be at least 1-1/2 inches in diameter, with the bottom of the outlet hole located 12 inches above the floor of the chamber.

(v) Flow of water through each chamber of the recovery boxes must be not less than 16 gallons per minute, nor more than 20 gallons per minute.

(b) Each box and chamber must be operating during any time that the net is being retrieved or picked.

(c) The vessel operator must demonstrate to department employees, upon request, that the pumping system is delivering the proper volume of fresh seawater into each chamber.

(d) All salmon not to be retained must be released immediately with care and with the least possible injury to the fish, or placed into the operating recovery box.

(e) Any fish that is bleeding or lethargic must be placed in the recovery box prior to being released.

(f) All fish placed in the recovery boxes must be released within the same catch area as the area of capture, and the release must occur prior to landing or docking.

(6) It is unlawful to fish for salmon with gill net gear in Areas 7 and 7A unless the vessel operator has attended a "Fish Friendly" best fishing practices workshop and is in possession of a department-issued certification card.

[Statutory Authority: RCW 77.12.047 and 77.04.020. 07-20-006, § 220-47-302, filed 9/20/07, effective 10/21/07. Statutory Authority: RCW 77.12.047. 06-16-045 (Order 06-173), § 220-47-302, filed 7/26/06, effective 8/26/06; 05-17-002 (Order 05-166), § 220-47-302, filed 8/3/05, effective 9/3/05; 04-16-125 (Order 04-202), § 220-47-302, filed 8/4/04, effective 9/4/04; 03-18-005 (Order 03-210), § 220-47-302, filed 8/20/03, effective 9/20/03. Statutory Authority: RCW 75.08.080. 99-24-011 (99-202), § 220-47-302, filed 11/19/99, effective 12/20/99; 97-16-030 (Order 97-124), § 220-47-302, filed 7/29/97, effective 8/29/97; 93-14-041 (Order 93-55), § 220-47-302, filed

6/29/93, effective 7/30/93; 92-15-105 (Order 92-47), § 220-47-302, filed 7/20/92, effective 8/20/92; Order 988, § 220-47-302, filed 4/28/72.]

WAC 220-47-310 Puget Sound net seasons—Time.

During the openings provided for in this chapter, all times stated are Pacific Standard Time from January 1 through the second Saturday in March and from the first Sunday in November through December 31; and all times stated are Pacific Daylight Time from the second Sunday in March to the first Saturday in November.

[Statutory Authority: RCW 77.12.047 and 77.04.020. 07-20-006, § 220-47-310, filed 9/20/07, effective 10/21/07. Statutory Authority: RCW 75.08.080. 91-18-024 (Order 91-72), § 220-47-310, filed 8/27/91, effective 9/27/91.]

WAC 220-47-311 Purse seine—Open periods. It is unlawful to take, fish for, or possess salmon taken with purse seine gear for commercial purposes from Puget Sound, except in the following designated Puget Sound Salmon Management and Catch Reporting Areas and during the periods provided for in each respective Management and Catch Reporting Area:

AREA	TIME	DATE
7, 7A:	7AM - 7PM with use of recovery box; 7AM - 4:00PM without use of recovery box	10/12
	7AM - 6PM with use of recovery box; 7AM - 3:15PM without use of recovery box	10/17, 10/18, 10/19, 10/22, 10/23, 10/24, 10/25, 10/26, 10/29, 10/30, 10/31, 11/1, 11/2
	7AM - 5PM with use of recovery box; 7AM - 2:30PM without use of recovery box	11/5, 11/6, 11/7, 11/8, 11/9, 11/12, 11/13, 11/14, 11/15, 11/16
7B, 7C:	6AM - 8PM	8/22, 8/29, 9/5
7B:	7AM - 8PM	- 9/12
	7AM - 7PM	- 9/17, 9/18, 9/19
	7AM 9/23	- 6PM 11/3
	7AM 11/5	- 4PM 11/9
	7AM 11/12	- 4PM 11/16
	7AM 11/19	- 4PM 11/23
	7AM 11/26	- 4PM 11/30
	8AM 12/3	- 4PM 12/7
Note: That portion of Area 7B east of a line from Post Point to the flashing red light at the west entrance to Squalicum Harbor is open to purse seines beginning at 12:01 a.m. on the last Monday in October and until 4:00 p.m. on the first Friday in December.		
8:	7AM - 5PM	11/6
	7AM - 5PM	11/13
	7AM - 5PM	11/20
	7AM - 4PM	11/27
8A:	7AM - 7PM	Limited participation - two boats (10/1, 10/8).
	7AM - 6PM	10/15, 10/22, 10/30, 11/1
	7AM - 5PM	11/7, 11/12, 11/14, 11/20
	7AM - 4PM	11/26, 11/28
8D:	7AM - 7PM	9/24, 10/1, 10/8
	7AM - 6PM	10/15, 10/22, 10/30, 11/1
	7AM - 5PM	11/7, 11/12, 11/14, 11/20
	7AM - 4PM	11/26, 11/28
10, 11:	7AM - 6PM	10/22, 10/29, 10/31
	7AM - 5PM	11/5, 11/12, 11/14, 11/19
	7AM - 4PM	11/26
12, 12B:	7AM - 6PM	10/22, 10/29, 10/31
	7AM - 5PM	11/5, 11/12, 11/19
12C:	7AM - 5PM	11/13, 11/20
	7AM - 4PM	11/27

It is unlawful to retain the following salmon species taken with purse seine gear within the following areas during the following periods:

Chinook salmon - at all times in Areas 7, 7A, 8, 8A, 8D, 10, 11, 12, 12B, and 12C, and after October 27 in Area 7B.

Coho salmon - at all times in Areas 7, 7A, 10, and 11, and prior to September 9 in Area 7B.

Chum salmon - prior to September 30 in Areas 7 and 7A.

All other saltwater and freshwater areas - closed.

[Statutory Authority: RCW 77.12.047 and 77.04.020. 07-20-006, § 220-47-311, filed 9/20/07, effective 10/21/07. Statutory Authority: RCW 77.12.047. 06-16-045 (Order 06-173), § 220-47-311, filed 7/26/06, effective 8/26/06; 05-17-002 (Order 05-166), § 220-47-311, filed 8/3/05, effective 9/3/05; 04-16-125 (Order 04-202), § 220-47-311, filed 8/4/04, effective 9/4/04; 03-18-005 (Order 03-210), § 220-47-311, filed 8/20/03, effective 9/20/03; 02-16-004 (Order 02-167), § 220-47-311, filed 7/25/02, effective 8/25/02; 01-13-056 (Order 01-106), § 220-47-311, filed 6/15/01, effective 7/16/01; 00-18-023 (Order 00-172), § 220-47-311, filed 8/28/00, effective 9/28/00. Statutory Authority: RCW 75.08.080. 99-24-011 (Order 99-202), § 220-47-311, filed 11/19/99, effective 12/20/99. Statutory Authority: RCW 75.08.080 and 77.12.040. 98-15-081 (Order 98-122), § 220-47-311, filed 7/15/98, effective 8/15/98. Statutory Authority: RCW 75.08.080. 97-16-030 (Order 97-124), § 220-47-311, filed 7/29/97, effective 8/29/97; 96-15-101 (Order 96-81), § 220-47-311, filed 7/22/96, effective 8/22/96; 95-13-056 (Order 95-75), § 220-47-311, filed 6/16/95, effective 7/17/95; 94-15-001 (Order 94-62), § 220-47-311, filed 7/6/94, effective 8/6/94; 93-14-041 (Order 93-55), § 220-47-311, filed 6/29/93, effective 7/30/93; 92-15-105 (Order 92-47), § 220-47-311, filed 7/20/92, effective 8/20/92; 91-18-024 (Order 91-72), § 220-47-311, filed 8/27/91, effective 9/27/91; 90-13-025 (Order 90-49), § 220-47-311, filed 6/11/90, effective 7/12/90; 89-13-004 (Order 89-44), § 220-47-311, filed 6/8/89; 88-14-133 (Order 88-48), § 220-47-311, filed 7/6/88; 87-15-059 (Order 87-72), § 220-47-311, filed 7/14/87; 86-13-038 (Order 86-46), § 220-47-311, filed 6/12/86; 85-13-032 (Order 85-60), § 220-47-311, filed 6/12/85; 84-13-078 (Order 84-53), § 220-47-311, filed 6/21/84; 83-14-020 (Order 83-57), § 220-47-311, filed 6/28/83; 82-15-040 (Order 82-83), § 220-47-311, filed 7/15/82; 81-18-017 (Order 81-101), § 220-47-311, filed 8/25/81; 80-10-058 (Order 80-83), § 220-47-311, filed 8/6/80; 78-05-018 (Order 78-16), § 220-47-311, filed 4/13/78; Order 77-66, § 220-47-311, filed 8/5/77; Order 77-14, § 220-47-311, filed 4/15/77; Order 76-41, § 220-47-311, filed 6/4/76; Order 1251, § 220-47-311, filed 8/18/75; Order 1210, § 220-47-311, filed 5/26/75; Order 1143, § 220-47-311, filed 8/8/74; Order 1125, § 220-47-311, filed 6/6/74; Order 1066, § 220-47-311, filed 7/19/73; Order 1057, § 220-47-311, filed 5/22/73; Order 988, § 220-47-311, filed 4/28/72.]

WAC 220-47-325 Purse seine—Release of incidentally caught fish. (1) It is unlawful for any purse seine vessel operator landing salmon to do so directly into the hold. All salmon must be landed onto the deck or sorting tray or table of the harvesting vessel, with the hold hatch cover(s) closed, until the release of salmon that may not be retained is complete; and additionally:

(2) In Areas 7 and 7A and prior to September 16 in Areas 7B and 7C, it is unlawful for any purse seine vessel operator to bring salmon aboard a vessel unless all salmon captured in the seine net are removed from the seine net using a brailer or dip net meeting the specifications in this section prior to the seine net being removed from the water, unless otherwise provided for in this section.

(3) The brailer shall be constructed in the following manner and with the following specifications:

(a) A bag of web hung on a rigid hoop attached to a handle;

(b) The bag shall be opened by releasing a line running through rings attached to the bottom of the bag; and

(c) The web shall be of soft knotless construction, and the mesh size may not exceed 57 mm (2.25 inches) measured along two contiguous sides of a single mesh.

(4) Hand-held dip nets shall be constructed of a shallow bag of soft, knotless web attached to a handle.

(5) Fish may be brought on board without using a brailer or dip net as specified in this section if the number of fish in the net is small enough that the crew can hand-pull the bunt onto the vessel without the use of hydraulic or mechanical assistance.

(6) Fishers using a recovery box must have and operate the box in compliance with the provisions of WAC 220-47-302 (5)(a) through (f), and it is unlawful to fail to do so.

[Statutory Authority: RCW 77.12.047 and 77.04.020. 07-20-006, § 220-47-325, filed 9/20/07, effective 10/21/07. Statutory Authority: RCW 77.12.047. 06-16-045 (Order 06-173), § 220-47-325, filed 7/26/06, effective 8/26/06; 05-17-002 (Order 05-166), § 220-47-325, filed 8/3/05, effective 9/3/05; 04-16-125 (Order 04-202), § 220-47-325, filed 8/4/04, effective 9/4/04; 03-18-005 (Order 03-210), § 220-47-325, filed 8/20/03, effective 9/20/03. Statutory Authority: RCW 75.08.080. 99-24-011 (99-202), § 220-47-325, filed 11/19/99, effective 12/20/99; 97-16-030 (Order 97-124), § 220-47-325, filed 7/29/97, effective 8/29/97.]

WAC 220-47-401 Reef net open periods. (1) It is unlawful to take, fish for, or possess salmon taken with reef net gear for commercial purposes in Puget Sound, except in the following designated Puget Sound Salmon Management and Catch Reporting Areas, during the periods provided for in each respective area:

AREA	TIME	DATE(S)
7, 7A	7AM - 7PM Daily	9/16 - 11/17

(2) It is unlawful to retain Chinook salmon taken with reef net gear at all times, and it is unlawful to retain chum or wild coho salmon taken with reef net gear prior to September 30.

(3) All other saltwater and freshwater areas - closed.

[Statutory Authority: RCW 77.12.047 and 77.04.020. 07-20-006, § 220-47-401, filed 9/20/07, effective 10/21/07. Statutory Authority: RCW 77.12.047. 06-16-045 (Order 06-173), § 220-47-401, filed 7/26/06, effective 8/26/06; 05-17-002 (Order 05-166), § 220-47-401, filed 8/3/05, effective 9/3/05; 04-16-125 (Order 04-202), § 220-47-401, filed 8/4/04, effective 9/4/04; 03-18-005 (Order 03-210), § 220-47-401, filed 8/20/03, effective 9/20/03; 02-16-004 (Order 02-167), § 220-47-401, filed 7/25/02, effective 8/25/02; 01-13-056 (Order 01-106), § 220-47-401, filed 6/15/01, effective 7/16/01; 00-18-023 (Order 00-172), § 220-47-401, filed 8/28/00, effective 9/28/00. Statutory Authority: RCW 75.08.080. 99-24-011 (Order 99-202), § 220-47-401, filed 11/19/99, effective 12/20/99. Statutory Authority: RCW 75.08.080 and 77.12.040. 98-15-081 (Order 98-122), § 220-47-401, filed 7/15/98, effective 8/15/98. Statutory Authority: RCW 75.08.080. 97-16-030 (Order 97-124), § 220-47-401, filed 7/29/97, effective 8/29/97; 96-15-101 (Order 96-81), § 220-47-401, filed 7/22/96, effective 8/22/96; 95-13-056 (Order 95-75), § 220-47-401, filed 6/16/95, effective 7/17/95; 94-15-001 (Order 94-62), § 220-47-401, filed 7/6/94, effective 8/6/94; 93-14-041 (Order 93-55), § 220-47-401, filed 6/29/93, effective 7/30/93; 92-15-105 (Order 92-47), § 220-47-401, filed 7/20/92, effective 8/20/92; 91-18-024 (Order 91-72), § 220-47-401, filed 8/27/91, effective 9/27/91; 90-13-025 (Order 90-49), § 220-47-401, filed 6/11/90, effective 7/12/90; 89-13-004 (Order 89-44), § 220-47-401, filed 6/8/89; 88-14-133 (Order 88-48), § 220-47-401, filed 7/6/88; 87-15-059 (Order 87-72), § 220-47-401, filed 7/14/87; 86-13-038 (Order 86-46), § 220-47-401, filed 6/12/86; 85-18-017 (Order 81-101), § 220-47-401, filed 8/25/81; 80-10-058 (Order 80-83), § 220-47-401, filed 8/6/80; 78-05-018 (Order 78-16), § 220-47-401, filed 4/13/78; Order 77-66, § 220-47-401, filed 8/5/77; Order 77-14, § 220-47-401, filed 4/15/77; Order 76-41, § 220-47-401, filed 6/4/76; Order 1210, § 220-47-401, filed 5/26/75; Order 1143, § 220-47-401, filed 8/8/74; Order 1125, § 220-47-401, filed 6/6/74; Order 1066, § 220-47-401, filed 7/19/73; Order 1057, § 220-47-401, filed 5/22/73; Order 988, § 220-47-401, filed 4/28/72.]

WAC 220-47-411 Gill net—Open periods. It is unlawful to take, fish for, or possess salmon taken with gill net gear for commercial purposes from Puget Sound, except in the following designated Puget Sound Salmon Management and Catch Reporting Areas, during the seasons provided for in each respective fishing area:

AREA	TIME		DATE(S)	MINIMUM MESH
6D: Skiff gill net only.	7 AM	- 7 PM	9/24, 9/25, 9/26, 9/27, 9/28, 10/1, 10/2, 10/3, 10/4, 10/5, 10/8, 10/9, 10/10, 10/11, 10/12, 10/15, 10/16, 10/17, 10/18, 10/19, 10/22, 10/23, 10/24, 10/25, 10/26	5"

Note: In Area 6D, it is unlawful to use other than 5-inch minimum and 5 1/2-inch maximum mesh in the skiff gill net fishery. It is unlawful to retain Chinook taken in Area 6D at any time, or any chum salmon taken in Area 6D prior to October 16. In Area 6D, any Chinook or chum salmon required to be released must be removed from the net by cutting the meshes ensnaring the fish.

7, 7A:	Noon	- Midnight; use of recovery box required	10/12, 10/17, 10/18, 10/19	6 1/4"
	Noon	- Midnight	10/22, 10/23, 10/24, 10/25, 10/26, 10/29, 10/30, 10/31, 11/1, 11/2, 11/5, 11/6, 11/7, 11/8, 11/9, 11/12, 11/13, 11/14, 11/15, 11/16	6 1/4"

Note: In Areas 7 and 7A after September 30 but prior to October 20, coho and Chinook salmon must be released, and it is unlawful to use a net soak time of more than 45 minutes. Net soak time is defined as the time elapsed from when the first of the gill net web enters the water, until the gill net is fully retrieved from the water. Fishers must also use a recovery box in compliance with WAC 220-47-302 (5)(a) through (f).

7B/7C:	7PM	- 7AM	NIGHTLY 8/20, 8/26, 8/28, 8/30, 9/3, 9/4, 9/6	7"
	7PM	- 8AM	NIGHTLY 9/9, 9/11, 9/13	5"
7B:	6PM	- 8AM	NIGHTLY 9/16, 9/18, 9/21	5"
	7AM 9/23	- 8PM 10/27		5"
	7AM 10/28	- 8PM 11/3		6 1/4"
	7AM 11/5	- 4PM 11/9		6 1/4"
	7AM 11/12	- 4PM 11/16		6 1/4"
	7AM 11/19	- 4PM 11/23		6 1/4"
	7AM 11/26	- 4PM 11/30		6 1/4"
	8AM 12/3	- 4PM 12/7		6 1/4"

Note: That portion of Area 7B east of a line from Post Point to the flashing red light at the west entrance to Squalicum Harbor is open to gill nets using 6 1/4-inch minimum mesh beginning 12:01 AM on the last day in October and until 6:00 PM on the first Friday in December.

8:	7AM	- 7PM	11/5, 11/7, 11/9, 11/12, 11/14, 11/16, 11/19, 11/21, 11/23	6 1/4"
	7AM	- 6PM	11/26, 11/28, 11/30	6 1/4"
8A:	6PM	- 8AM	NIGHTLY 10/9	5"
	7AM	- 8 PM	10/16, 10/18, 10/19	5"
	8AM	- 8PM	10/23, 10/25, 10/26, 10/29, 10/31, 11/2	6 1/4"
	7AM	- 7PM	11/6, 11/8, 11/9, 11/13, 11/15, 11/16, 11/21, 11/22, 11/23	6 1/4"
	7AM	- 6PM	11/27, 11/29, 11/30	6 1/4"
8D:	6PM	- 8AM	NIGHTLY 9/23, 9/25, 9/27, 9/30, 10/2, 10/4, 10/7, 10/9, 10/11	5"
	7AM	- 8 PM	10/18, 10/19	5"
	8AM	- 8PM	10/25, 10/26, 11/1, 11/2	5"
	7AM	- 7PM	11/8, 11/9	5"
	7AM	- 7PM	11/15, 11/16, 11/21, 11/23	6 1/4"
	7AM	- 6PM	11/29, 11/30	6 1/4"
9A:	7PM	- 7AM	NIGHTLY 8/28, 8/30	5"
	6AM 9/26	- 7PM 11/3		5"

Note: It is unlawful to retain chum salmon taken in Area 9A prior to October 1, and it is unlawful to retain Chinook salmon at any time. Any salmon required to be released must be removed from the net by cutting the meshes ensnaring the fish.

10, 11:	4PM	- 7AM	NIGHTLY 10/21	6 1/4"
	5PM	- 9AM	NIGHTLY 10/23	6 1/4"
	3PM	- 7AM	NIGHTLY 10/28, 10/30	6 1/4"
	5PM	- 9AM	NIGHTLY 10/31	6 1/4"
	3PM	- 7AM	NIGHTLY 11/4	6 1/4"
	4PM	- 8AM	NIGHTLY 11/6	6 1/4"
	3PM	- 7AM	NIGHTLY 11/11, 11/13	6 1/4"
	4PM	- 8AM	NIGHTLY 11/14	6 1/4"
	3PM	- 7AM	NIGHTLY 11/18	6 1/4"
	4PM	- 8AM	NIGHTLY 11/20	6 1/4"
	2PM	- 7AM	NIGHTLY 11/25	6 1/4"
	3PM	- 8AM	NIGHTLY 11/27	6 1/4"
12A: Skiff gill net only.	7AM	- 7PM	9/4, 9/11, 9/18, 9/25, 10/2	5"

Note: In Area 12A, it is unlawful to use other than 5-inch minimum and 5 1/2-inch maximum mesh in the skiff gill net fishery. It is unlawful to retain Chinook or chum salmon taken in Area 12A at any time, and any salmon required to be released must be removed from the net by cutting the meshes ensnaring the fish.

12, 12B:	8AM	- 8PM	10/24, 10/25, 10/30, 11/1, 11/2	6 1/4"
	7AM	- 7PM	11/7, 11/8, 11/14, 11/15, 11/20	6 1/4"
12C:	7AM	- 7PM	11/13, 11/15, 11/20, 11/22	6 1/4"

AREA	TIME	DATE(S)	MINIMUM MESH
	7AM - 6PM	11/26, 11/27	6 1/4"
All other saltwater and freshwater areas - closed.			
Nightly openings refer to the start date.			
Within an area or areas, a mesh size restriction remains in effect from the first date indicated until a mesh size change is shown, and the new mesh size restriction remains in effect until changed.			

[Statutory Authority: RCW 77.12.047 and 77.04.020, 07-20-006, § 220-47-411, filed 9/20/07, effective 10/21/07. Statutory Authority: RCW 77.12.047, 06-16-045 (Order 06-173), § 220-47-411, filed 7/26/06, effective 8/26/06; 05-17-002 (Order 05-166), § 220-47-411, filed 8/3/05, effective 9/3/05; 04-16-125 (Order 04-202), § 220-47-411, filed 8/4/04, effective 9/4/04; 03-16-101 (Order 03-179), § 220-47-411, filed 8/6/03, effective 9/6/03; 02-16-004 (Order 02-167), § 220-47-411, filed 7/25/02, effective 8/25/02; 01-13-056 (Order 01-106), § 220-47-411, filed 6/15/01, effective 7/16/01; 00-18-023 (Order 00-172), § 220-47-411, filed 8/28/00, effective 9/28/00. Statutory Authority: RCW 75.08.080, 99-24-011 (Order 99-202), § 220-47-411, filed 11/19/99, effective 12/20/99. Statutory Authority: RCW 75.08.080 and 77.12.040, 98-15-081 (Order 98-122), § 220-47-411, filed 7/15/98, effective 8/15/98. Statutory Authority: RCW 75.08.080, 97-16-030 (Order 97-124), § 220-47-411, filed 7/29/97, effective 8/29/97; 96-15-101 (Order 96-81), § 220-47-411, filed 7/22/96, effective 8/22/96; 95-13-056 (Order 95-75), § 220-47-411, filed 6/16/95, effective 7/17/95; 94-15-001 (Order 94-62), § 220-47-411, filed 7/6/94, effective 8/6/94; 93-14-041 (Order 93-55), § 220-47-411, filed 6/29/93, effective 7/30/93; 92-15-105 (Order 92-47), § 220-47-411, filed 7/20/92, effective 8/20/92; 91-18-024 (Order 91-72), § 220-47-411, filed 8/27/91, effective 9/27/91; 90-13-025 (Order 90-49), § 220-47-411, filed 6/11/90, effective 7/12/90; 89-13-004 (Order 89-44), § 220-47-411, filed 6/8/89; 88-14-133 (Order 88-48), § 220-47-411, filed 7/6/88; 87-15-059 (Order 87-72), § 220-47-411, filed 7/14/87; 86-13-038 (Order 86-46), § 220-47-411, filed 6/12/86; 85-13-032 (Order 85-60), § 220-47-411, filed 6/12/85; 84-13-078 (Order 84-53), § 220-47-411, filed 6/21/84; 83-14-020 (Order 83-57), § 220-47-411, filed 6/28/83; 82-15-040 (Order 82-83), § 220-47-411, filed 7/15/82; 81-18-017 (Order 81-101), § 220-47-411, filed 8/25/81; 80-10-058 (Order 80-83), § 220-47-411, filed 8/6/80; 78-05-018 (Order 78-16), § 220-47-411, filed 4/13/78; Order 77-66, § 220-47-411, filed 8/5/77; Order 77-14, § 220-47-411, filed 4/15/77; Order 76-41, § 220-47-411, filed 6/4/76; Order 1251, § 220-47-411, filed 8/18/75; Order 1210, § 220-47-411, filed 5/26/75; Order 1143, § 220-47-411, filed 8/8/74; Order 1125, § 220-47-411, filed 6/6/74; Order 1066, § 220-47-411, filed 7/19/73; Order 1057, § 220-47-411, filed 5/22/73; Order 988, § 220-47-411, filed 4/28/72.]

Chapter 220-52 WAC

SHELLFISH

WAC

220-52-001	Shellfish—Geographical definitions.
220-52-040	Commercial crab fishery—Lawful and unlawful gear, methods, and other unlawful acts.
220-52-041	Coastal Dungeness crab logbook requirements.
220-52-046	Crab fishery—Seasons and areas.
220-52-075	Shellfish harvest logs.

WAC 220-52-001 Shellfish—Geographical definitions. (1) "Puget Sound" means Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, 22B, 23A, 23B, 23C, 23D, 24A, 24B, 24C, 25A, 25B, 25C, 25D, 25E, 26A, 26B, 26C, 26D, 27A, 27B, 27C, 28A, 28B, 28C, 28D, and 29.

(2) "Grays Harbor" means Marine Fish-Shellfish Management and Catch Reporting Area 60B.

(3) "Willapa Harbor" means Marine Fish-Shellfish Management and Catch Reporting Area 60C.

(4) "Columbia River" means Marine Fish-Shellfish Management and Catch Reporting Area 60D.

(5) "Coastal Waters" means Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A-1, 59A-2, 59B, 60A-1, and 60A-2.

[Statutory Authority: RCW 77.12.047, 07-10-090 (Order 07-68), § 220-52-001, filed 5/1/07, effective 6/1/07. Statutory Authority: RCW 75.08.080, 84-08-014 (Order 84-24), § 220-52-001, filed 3/27/84.]

WAC 220-52-040 Commercial crab fishery—Lawful and unlawful gear, methods, and other unlawful acts. (1) **Net fishing boats shall not have crab aboard.** It is unlawful for any vessel geared or equipped with commercial net fishing gear to have aboard any quantity of crab while it is fishing with the net gear or when it has other food fish or shellfish aboard for commercial purposes.

(2) **Area must be open to commercial crabbing.** Unless otherwise provided, it is unlawful to set, maintain, or operate any baited or unbaited shellfish pots or ring nets for taking crabs for commercial purposes in any area or at any time when the location is not opened for taking crabs for commercial purposes by permanent rule or emergency rule of the department: Provided, That following the close of a com-

mercial crab season, permission may be granted by the director or his or her designee on a case-by-case basis for crab fishers to recover shellfish pots that were irretrievable due to extreme weather conditions at the end of the lawful opening. Crab fishers must notify and apply to department enforcement for such permission within twenty-four hours prior to the close of season.

(3) **Crabs must be male and 6-1/4 inches.** It is unlawful for any person acting for commercial purposes to take, possess, deliver, or otherwise control:

(a) Any female Dungeness crabs; or

(b) Any male Dungeness crabs measuring less than 6-1/4 inches, caliper measurement, across the back immediately in front of the tips.

(4) **Each person and each Puget Sound license limited to 100 pots.** It is unlawful for any person to take or fish for crab for commercial purposes in the Puget Sound licensing district using, operating, or controlling any more than an aggregate total of 100 shellfish pots or ring nets. This limit shall apply to each license. However, this shall not preclude a person holding two Puget Sound crab licenses from designating and using the licenses from one vessel as authorized by RCW 77.65.130.

(5) **Additional area gear limits.** The following Marine Fish-Shellfish Management and Catch Reporting Areas are restricted in the number of pots fished, operated, or used by a person or vessel and it is unlawful for any person to use, maintain, operate, or control pots in excess of the following limits:

(a) 10 pots in Marine Fish-Shellfish Management and Catch Reporting Area 25E.

(b) 10 pots in all waters of Marine Fish-Shellfish Management and Catch Reporting Area 25A south of a line projected true west from Travis Spit on Miller Peninsula.

(c) 20 pots in that portion of Marine Fish-Shellfish Management and Catch Reporting Area 25A west of a line projected from the new Dungeness Light to the mouth of Cooper Creek and east of a line projected from the new Dungeness Light to the outermost end of the abandoned dock at the Three Crabs Restaurant on the southern shore of Dungeness Bay.

(d) 10 pots in that portion of Marine Fish-Shellfish Management and Catch Reporting Area 23D west of a line from the eastern tip of Ediz Hook to the I77 Rayonier Dock.

(6) **Groundline gear is unlawful.** No crab pot or ring net may be attached or connected to other crab pot or ring net by a common groundline or any other means that connects crab pots together.

(7) **Crab buoys and pots tagging requirements.**

(a) It is unlawful to place in the water, pull from the water, possess on the water, or transport on the water any crab buoy or crab pot without attached buoy and pot tags that meets the requirements of this subsection.

(b) Coastal crab pot tags: Each shellfish pot used in the coastal Dungeness crab fishery must bear a tag that identifies either the name of the vessel being used to operate the pot or the Dungeness crab fishery license number of the owner of the pot, and the telephone number of a contact person.

(c) Puget Sound crab pot tags: In Puget Sound, all crab pots must have a durable, nonbiodegradable tag securely attached to the pot and permanently and legibly marked with the license owner's name or license number, and telephone number. If the tag information is illegible, or if the tag is lost for any reason, the pot is not in compliance with law.

(d) Crab buoy tags: The department will issue crab pot buoy tags to the owner of each commercial crab fishery license upon payment of an annual buoy tag fee of seventy cents per crab pot buoy tag. Prior to setting gear, each Puget Sound crab license holder must purchase 100 tags, and each coastal crab fisher must purchase 300 or 500 tags, depending on the crab pot limit assigned to the license. Only department-issued crab buoy tags may be used, and each crab pot is required to have a buoy tag.

(e) Puget Sound replacement crab buoy tags: Additional tags to replace lost tags will only be issued to owners of Puget Sound commercial crab fishery licenses who obtain, complete, and sign a declaration under penalty of perjury in the presence of an authorized department employee. The declaration shall state the number of buoy tags lost, the location and date where lost gear or tags were last observed, and the presumed cause of the loss.

(f) Coastal replacement crab buoy tags: Coastal crab license holders with a 300 pot limit will be able to replace up to fifteen lost tags by January 15th, up to a total of thirty lost tags by February 15th, and up to a total of forty-five lost tags after March 15th of each season. Coastal crab license holders with a 500 pot limit will be able to replace up to twenty-five lost tags by January 15th, up to a total of fifty lost tags by February 15th, and up to a total of seventy-five lost tags after March 15th of each season. In the case of extraordinary loss of crab pot gear, the department may, on a case-by-case basis, issue replacement tags in excess of the amount set out in this subsection. Replacement buoy tags for the coastal crab fishery will only be issued after a signed affidavit is received by the department.

(8) **No person can possess or use gear with other person's crab pot tag or crab buoy tag.** No person may possess, use, control, or operate any crab pot not bearing a tag identifying the pot as that person's, or any buoy not bearing tags issued by the department to that person, except that an alternate operator designated on a primary license may pos-

sess and operate crab buoys and crab pots bearing the tags of the license holder.

(9) **Cannot tamper with pot tags.** No person shall remove, damage, or otherwise tamper with crab buoy or pot tags except when lawfully applying or removing tags on the person's own buoys and pots.

(10) **Thirty-day period when it is unlawful to buy or land crab from ocean without crab vessel inspection.** It is unlawful for any fisher or wholesale dealer or buyer to land or purchase Dungeness crab taken from Grays Harbor, Willapa Bay, Columbia River, Washington coastal or adjacent waters of the Pacific Ocean during the first thirty days following the opening of a coastal crab season from any vessel which has not been issued a Washington crab vessel inspection certificate. The certificate will be issued to vessels made available for inspection in a Washington coastal port and properly licensed for commercial crab fishing if no Dungeness crabs are aboard. Inspections will be performed by authorized department personnel not earlier than twelve hours prior to the opening of the coastal crab season and during the following thirty-day period.

(11) **Grays Harbor pot limit of 200.** It is unlawful for any person to take or fish for crab for commercial purposes in Grays Harbor (catch area 60B) with more than 200 shellfish pots in the aggregate. It shall be unlawful for any group of persons using the same vessel to take or fish for crab for commercial purposes in Grays Harbor with more than 200 shellfish pots.

(12) **Coastal crab pot limit.**

(a) It is unlawful for a person to take or fish for Dungeness crab for commercial purposes in Grays Harbor, Willapa Bay, the Columbia River, or waters of the Pacific Ocean adjacent to the state of Washington unless a shellfish pot limit has been assigned to the Dungeness crab-coastal fishery license held by the person, or to the equivalent Oregon or California Dungeness crab fishery license held by the person.

(b) It is unlawful for a person to deploy or fish more shellfish pots than the number of shellfish pots assigned to the license held by that person, and it is unlawful to use any vessel other than the vessel designated on a license to operate or possess shellfish pots assigned to that license.

(c) It is unlawful for a person to take or fish for Dungeness crab or to deploy shellfish pots unless the person is in possession of valid documentation issued by the department that specifies the shellfish pot limit assigned to the license.

(13) **Determination of coastal crab pot limits.**

(a) The number of shellfish pots assigned to a Washington Dungeness crab-coastal fishery license, or to an equivalent Oregon or California Dungeness crab fishery license will be based on documented landings of Dungeness crab taken from waters of the Pacific Ocean south of the United States/Canada border and west of the Bonilla-Tatoosh line, and from coastal estuaries in the states of Washington, Oregon and California. Documented landings may be evidenced only by valid Washington state shellfish receiving tickets, or equivalent valid documents from the states of Oregon and California, that show Dungeness crab were taken between December 1, 1996, and September 16, 1999. Such documents must have been received by the respective states no later than October 15, 1999.

(b) The following criteria shall be used to determine and assign a shellfish pot limit to a Dungeness crab-coastal fishery license, or to an equivalent Oregon or California Dungeness crab fishery license:

(i) The three "qualifying coastal Dungeness crab seasons" are from December 1, 1996, through September 15, 1997, from December 1, 1997, through September 15, 1998, and from December 1, 1998, through September 15, 1999. Of the three qualifying seasons, the one with the most poundage of Dungeness crab landed on a license shall determine the crab pot limit for that license. A crab pot limit of 300 shall be assigned to a license with landings that total from zero to 35,999 pounds and a crab pot limit of 500 shall be assigned to a license with landings that total 36,000 pounds or more.

(ii) Landings of Dungeness crab made in the states of Oregon or California on valid Dungeness crab fisheries licenses during a qualifying season may be used for purposes of assigning a shellfish pot limit to a Dungeness crab fishery license, provided that documentation of the landings is provided to the department by the Oregon Department of Fish and Wildlife and/or the California Department of Fish and Game. Landings of Dungeness crab made in Washington, Oregon, and California on valid Dungeness crab fishery licenses during a qualifying season may be combined for purposes of assigning a shellfish pot limit, provided that the same vessel was named on the licenses, and the same person held the licenses. A shellfish pot limit assigned as a result of combined landings is invalidated by any subsequent split in ownership of the licenses. No vessel named on a Dungeness crab fishery license shall be assigned more than one shellfish pot limit.

(14) **Appeals of coastal crab pot limits.** An appeal of a shellfish pot limit by a coastal commercial license holder shall be filed with the department on or before October 18, 2001. The shellfish pot limit assigned to a license by the department shall remain in effect until such time as the appeal process is concluded.

(15) **Coastal - Barging of crab pots by undesignated vessels.** It is lawful for a vessel not designated on a Dungeness crab-coastal fishery license to be used to deploy shellfish pot gear provided that:

(a) Such a vessel may not carry aboard more than 250 shellfish pots at any one time.

(b) Such a vessel may deploy shellfish pot gear only during the 64-hour period immediately preceding the season opening date and during the 48-hour period immediately following the season opening date.

(c) The lawful owner of the shellfish pot gear must be aboard the vessel when the gear is being deployed.

(16) **Coastal crab buoys - Registration and use of buoy brands and colors.**

(a) It is unlawful for any coastal Dungeness crab fishery license holder to fish for crab unless the license holder has registered the buoy brand and buoy color(s) to be used with the license. A license holder shall be allowed to register with the department only one, unique buoy brand and one buoy color scheme per license. Persons holding more than one license state shall register buoy color(s) for each license that are distinctly different. The buoy color(s) shall be shown in a color photograph.

(b) It is unlawful for a coastal Dungeness crab fishery license holder to fish for crab using any other buoy brand or color(s) than those registered with and assigned to the license by the department.

[Statutory Authority: RCW 77.12.047, 07-23-090 (Order 07-285), § 220-52-040, filed 11/20/07, effective 12/21/07; 05-21-068 (Order 05-246), § 220-52-040, filed 10/14/05, effective 11/14/05; 01-20-066 (Order 01-219), § 220-52-040, filed 9/28/01, effective 10/29/01; 01-18-005 (Order 01-180), § 220-52-040, filed 8/22/01, effective 9/22/01; 01-11-009 (Order 01-74), § 220-52-040, filed 5/3/01, effective 6/3/01; 00-18-005 (Order 00-164), § 220-52-040, filed 8/23/00, effective 9/23/00. Statutory Authority: RCW 75.08.080, 98-19-012 (Order 98-185), § 220-52-040, filed 9/4/98, effective 10/5/98; 98-05-043, § 220-52-040, filed 2/11/98, effective 3/14/98; 97-08-052 (Order 97-55), § 220-52-040, filed 3/31/97, effective 5/1/97; 94-12-009 (Order 94-223), § 220-52-040, filed 5/19/94, effective 6/19/94; 91-10-024 (Order 91-22), § 220-52-040, filed 4/23/91, effective 5/24/91; 85-01-010 (Order 84-214), § 220-52-040, filed 12/7/84; 84-08-014 (Order 84-24), § 220-52-040, filed 3/27/84; 83-01-026 (Order 82-221), § 220-52-040, filed 12/8/82; 80-13-064 (Order 80-123), § 220-52-040, filed 9/17/80; 79-02-053 (Order 79-6), § 220-52-040, filed 1/30/79; Order 77-145, § 220-52-040, filed 12/13/77; Order 76-152, § 220-52-040, filed 12/17/76; Order 76-26, § 220-52-040, filed 1:45 p.m., 4/20/76; Order 1045, § 220-52-040, filed 3/8/73; Order 807, § 220-52-040, filed 1/2/69, effective 2/1/69; subsections 1, 5, 6, from Orders 409 and 256, filed 3/1/60; subsection 2 from Orders 500 and 256, filed 3/1/60; subsection 3 from Order 528, filed 6/1/61; Order 525, filed 5/3/61; Order 507, filed 4/8/60; Orders 409 and 256, filed 3/1/60; subsection 4 from Order 528, filed 6/1/61; Order 525, filed 5/3/61; Orders 409 and 256, filed 3/1/60; subsection 7 from Orders 414 and 256, filed 3/1/60; subsection 8 from Orders 410 and 256, filed 3/1/60; subsection 9 from Order 409, filed 9/14/56.]

WAC 220-52-041 Coastal Dungeness crab logbook requirements.

(1) It is unlawful for any vessel operator engaged in fishing for Dungeness crab in the coastal commercial fishery to fail to complete a department-issued logbook for all fishing activity occurring in Grays Harbor, Willapa Bay, the Columbia River, or the Pacific Ocean waters adjacent to the state of Washington.

(2) It is unlawful for any vessel operator engaged in fishing to fail to comply with the following method and time frame related to harvest logbook submittal and record keeping:

(a) The department must receive a copy of the completed logbook sheets within ten days following any calendar month in which fishing occurred. Completed Dungeness crab harvest logs must be sent to the following address: Washington Department of Fish and Wildlife, Attention: Coastal Dungeness Crab Manager, 48 Devonshire Rd., Montesano, WA 98563.

(b) Vessel operators engaged in fishing for Dungeness crab in the coastal commercial fishery must complete a logbook entry for each day fished prior to offloading. Vessel operators responsible for submitting logs to the department must maintain a copy of all submitted logs for no less than three years after the fishing activity ended.

(c) Vessel operators can obtain logbooks by contacting the department's coastal Dungeness crab manager at 360-249-4628.

(3) Violation of this section is a misdemeanor, punishable under RCW 77.15.280.

[Statutory Authority: RCW 77.12.047, 07-23-090 (Order 07-285), § 220-52-041, filed 11/20/07, effective 12/21/07.]

WAC 220-52-046 Crab fishery—Seasons and areas.

"Commercial crab fishing" means any taking, fishing, use, or operation of gear to fish for crabs for commercial purposes,

and shall include the possession of crab on the water for commercial purposes, and the landing or initial delivery of crab for commercial purposes.

The lawful open times and areas for commercial crab fishing are as follows:

(1) All Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas are open for commercial crab fishing beginning 8:00 a.m. October 1st through the following April 15th and, after 8:00 a.m. October 1st, from one-half hour before sunrise to one-half hour after sunset, except as provided by other subsections below.

(2) For purposes of crab harvest allocation, fishing season, and catch reporting, the Marine Fish-Shellfish Management and Catch Reporting Areas (Catch Areas) are modified as follows:

(a) Catch Area 26A-E shall include those waters of Puget Sound south of a line from Sandy Point (on Whidbey Island) to Camano Head and from Camano Head to the north tip of Gedney Island, and from the southern tip of Gedney Island east to the mainland, and north and east of a line that extends from Possession Point to the shipwreck located .8 nautical miles north of Picnic Point.

(b) Catch Area 26A-W shall include those waters of Puget Sound south and east of a line from Foulweather Bluff to Double Bluff, and northerly of a line from Apple Cove Point to Point Edwards, and south and west of a line that extends from Possession Point to the shipwreck located .8 nautical miles north of Picnic Point.

(3) The following areas are closed to commercial crab fishing except for treaty Indian commercial crab fishing where the treaty Indian crab fisher is following tribal openings that are in accordance with provisions of court orders in United States v. Washington:

(a) Areas 25C, 26B, 26C, 26D, 27A, 27B, 27C, 28A, 28B, 28C, and 28D.

(b) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 20A in Lummi Bay east of a line projected from the entrance buoy at Sandy Point to Gooseberry Point.

(c) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 21A in Bellingham Bay west of a line projected from the exposed boulder at Point Francis to the pilings at Stevie's Point.

(d) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 24A east of a line projected north from the most westerly tip of Skagit Island and extending south to the most westerly tip of Hope Island, thence southeast to Seal Rocks, thence southeast to the green can buoy at the mouth of Swinomish Channel, thence easterly to the west side of Goat Island.

(e) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 24B inside a line projected from Priest Point to the five-meter tower between Gedney Island and Priest Point, thence northwesterly on a line between the five-meter tower and Barnum Point to the intersection with a line projected true west from Kayak Point, thence east to shore.

(f) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 25A west of a line from the new Dungeness Light to the abandoned dock at the Three Crabs Restaurant.

(g) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 25D within a line projected from the Point Hudson Marina entrance to the northern tip of Indian Island, thence to Kala Point, and thence following the shoreline to the point of origin.

(4) The following areas are closed to commercial crab fishing during the periods indicated:

(a) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 20A between a line from the boat ramp at the western boundary of Birch Bay State Park to the western point of the entrance of the Birch Bay Marina and a line from the same boat ramp to Birch Point are closed October 1 through October 31 and March 1 through April 15.

(b) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 24C inshore of the 400 foot depth contour within an area bounded by parallel lines projected northeasterly from Sandy Point and the entrance to the marina at Langley are closed October 1 through October 15.

(c) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 26A-W in Useless Bay north and east of a line from the south end of the Double Bluff State Park seawall (47°58.782'N, 122°30.840'W) projected 110 degrees true to the boulder on shore (47°57.690'N, 122°26.742'W) are closed from October 1 through October 15.

(d) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22B in Fidalgo Bay south of a line projected from the red number 4 entrance buoy at Cap Sante Marina to the northern end of the eastern most oil dock are closed October 1 through October 31, and March 1 through April 15 of each year.

(e) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22A in Deer Harbor north of a line projected from Steep Point to Pole Pass are closed October 1 through October 31 and March 1 through April 15.

(f) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 26A-E east of a line that extends true north from the green No. 1 buoy at Possession Point and west of a line from the green No. 1 buoy at Possession Point northward along the 200-foot depth contour to the Glendale Dock are closed October 1 through October 15.

(5) The following areas are closed to commercial crab fishing until further notice:

(a) Those waters of Area 25E south of a line from Contractors Point to Tukey Point.

(b) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 24A within a line projected from Rocky Point northeast to the red number 2 buoy north of Ustalady Point, thence to Brown Point on the northeast corner of Ustalady Bay.

(c) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 24D south of a line from the point at the southern end of Honeymoon Bay (48°03.047'N, 122°32.306'W) to the point just north of Beverly Beach.

(d) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 26A east of a line projected from the outermost tip of the ferry dock at Mukilteo to the green #3 buoy at the mouth of the Snohomish River and west of a line projected from the #3 buoy southward to the oil boom pier on the shoreline.

(e) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 21B in Samish Bay south of a line from Point Williams to Fish Point in waters shallower than 60 feet in depth.

(f) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22A in Westcott and Garrison Bays east of a line projected due south from Point White to San Juan Island.

(g) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 20A in Birch Bay east of a line projected from the boat ramp at the western boundary of Birch Bay State Park to the western point of the entrance to the Birch Bay Marina.

(h) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 21A inside of Chuckanut Bay east of a line projected north from Governor's Point to the east side of Chuckanut Island thence to Chuckanut Rock thence to the most southerly tip of Clark's Point.

(i) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22A in Blind Bay south of a line projected due west from Point Hudson to its intersection with Shaw Island.

(j) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22A in Fisherman Bay south of a line projected east-west through the red number 4 entrance buoy.

(k) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22A in Mud Bay south of a line projected through Crab and Fortress Islands intersecting Lopez Island at either end.

(l) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22B in Padilla Bay within a line projected easterly from the northern end of the eastern most oil dock at March Point to the red number 2 buoy, thence southeasterly to the red number 8 buoy, thence west to shore and following the shoreline to the point of origin.

(m) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 24A in Cornet Bay south of a line projected true east and west from the northernmost tip of Ben Ure Island.

(n) That portion of Marine Fish-Shellfish Management and Catch Reporting Area 20B which includes all waters of Prevost Harbor between Stuart Island and Satellite Island southwest of a line from Charles Point on Stuart Island to the northwest tip of Satellite Island and southwest of a line projected 120 degrees true from the southeast end of Satellite Island to Stuart Island.

(o) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22A in East Sound north of a line from the southern point of Judd Bay on the west to Giffin Rocks on the east.

(6) Coastal, Pacific Ocean, Grays Harbor, Willapa Bay and Columbia River waters are open to commercial crab fishing December 1 through September 15 except that it is lawful to set baited crab gear beginning at 8:00 a.m. November 28. However, the department may delay opening of the coastal crab fishery due to softshell crab conditions, in which case the following provisions will apply:

(a) After consultation with the Oregon Department of Fish and Wildlife, the director may, by emergency rule, establish a softshell crab demarcation line.

(b) For waters of the Pacific Ocean north of Point Arena, California, it is unlawful for a person to use a vessel to fish in any area for which the season opening has been delayed due to softshell crab for the first thirty days following the opening of such an area if the vessel was employed in the coastal crab fishery during the previous forty-five days.

(c) Fishers may not set crab gear in any area where the season opening has been delayed, except that gear may be set as allowed by emergency rule and shall allow setting sixty-four hours in advance of the delayed season opening time.

(d) It is unlawful to fish for or possess Dungeness crabs or to set crab gear in waters of the Pacific Ocean adjacent to the states of Oregon or California without the licenses or permits required to commercially fish for Dungeness crab within the state waters of Oregon or California. Washington coastal Dungeness crab permits are valid only in Washington state waters, the Columbia River, Willapa Bay, Grays Harbor, and the Pacific Ocean in federal waters north of the Washington/Oregon border (46°15'00"N. Lat.), extending 200 nautical miles westward.

[Statutory Authority: RCW 77.12.047, 07-23-090 (Order 07-285), § 220-52-046, filed 11/20/07, effective 12/21/07; 06-08-064 (Order 06-58), § 220-52-046, filed 3/31/06, effective 5/1/06; 06-01-013 (Order 05-275), § 220-52-046, filed 12/9/05, effective 1/9/06; 01-11-009 (Order 01-74), § 220-52-046, filed 5/3/01, effective 6/3/01. Statutory Authority: RCW 75.08.080, 99-10-062 (Order 99-59), § 220-52-046, filed 5/3/99, effective 6/3/99; 98-19-012 (Order 98-185), § 220-52-046, filed 9/4/98, effective 10/5/98; 98-05-043, § 220-52-046, filed 2/11/98, effective 3/14/98; 97-08-052 (Order 97-55), § 220-52-046, filed 3/31/97, effective 5/1/97; 94-12-009 (Order 94-23), § 220-52-046, filed 5/19/94, effective 6/19/94; 93-15-051, § 220-52-046, filed 7/14/93, effective 8/14/93; 91-10-024 (Order 91-22), § 220-52-046, filed 4/23/91, effective 5/24/91; 87-05-038 (Order 87-08), § 220-52-046, filed 2/18/87; 85-01-010 (Order 84-214), § 220-52-046, filed 12/7/84; 84-08-014 (Order 84-24), § 220-52-046, filed 3/27/84; 83-01-026 (Order 82-221), § 220-52-046, filed 12/8/82; 80-13-064 (Order 80-123), § 220-52-046, filed 9/17/80; Order 76-152, § 220-52-046, filed 12/17/76; Order 1179, § 220-52-046, filed 11/19/74; Order 1112, § 220-52-046, filed 4/15/74; Order 1057, § 220-52-046, filed 5/22/73; Order 920, § 220-52-046, filed 5/13/71; Order 807, § 220-52-046, filed 1/2/69, effective 2/1/69. Formerly WAC 220-52-040 (2), (3), (4) and (9).]

WAC 220-52-075 Shellfish harvest logs. (1) It is unlawful for any vessel operator engaged in the commercial harvest of crawfish, sea cucumber, sea urchin, scallop, shrimp other than ocean pink shrimp, or squid to fail to obtain and accurately maintain the appropriate harvest log available from the Washington department of fish and wildlife. It is unlawful for any license holder engaged in commercial sand shrimp fishing or operator of mechanical clam digging device to fail to obtain and accurately maintain the appropriate harvest log available from the Washington department of fish and wildlife.

(2) It is unlawful for any harvest vessel operator or license holder engaged in harvest as described in subsection (1) of this section, to fail to maintain the required harvest log: Aboard the vessel; at the harvest site; when crawfish, sea cucumbers, sea urchins, shrimp other than ocean pink shrimp, squid, scallops, clams, or sand shrimp are aboard during transit of a harvest vessel; or are in possession of the license holder.

(3) It is unlawful for the vessel operator or license holder, engaged in harvest as described in subsection (1) of this section, to fail to submit harvest logs for inspection upon

request by department of fish and wildlife officers or authorized employees.

(4) It is unlawful for any vessel operator or license holder, engaged in harvest as described in subsection (1) of this section, to fail to comply with the following methods of logbook submittal and time frames related to harvest logbook submittal:

(a) Within ten days following any calendar month in which fishing occurred, required completed harvest logs must be received by the department; however, vessel operators or license holders may submit logs directly to authorized department employees.

(b) Vessel operators or license holders responsible for submitting logs to the department, as described in subsection (1) of this section, must maintain a copy of all submitted logs for a period of three years following the harvest activity. Copies of harvest logs, which are required to be maintained, must be available for inspection upon request by department of fish and wildlife officers and authorized employees.

(c) Original harvest logs must be maintained and submitted in ascending consecutive order of log serial number.

(5) It is unlawful for any vessel operator or license holder, engaged in harvest as described in subsection (1) of this section, to fail to send completed harvest logs to the appropriate following mailing address, except as provided for in subsection (4)(a) of this section.

For Shrimp Harvest Logbooks:

ATTN: SHRIMP HARVEST MANAGER

Washington Department of Fish and Wildlife
Point Whitney Shellfish Laboratory
1000 Point Whitney Road
Brinnon, WA 98320-9799.

For Crawfish Harvest Logbooks:

ATTN: FISH PROGRAM - CRAWFISH HARVEST MANAGER

Washington Department of Fish and Wildlife
600 Capitol Way North
Olympia, WA 98501-1091.

For Sea Urchin and Sea Cucumber Harvest Logbooks:

ATTN: FISH PROGRAM - SEA URCHIN/SEA

CUCUMBER HARVEST MANAGER

Washington Department of Fish and Wildlife
600 Capitol Way North
Olympia, WA 98501-1091.

For Clam (harvest with mechanical digging devices) Harvest Logbooks:

ATTN: FISH PROGRAM - GEODUCK HARVEST MANAGER

Washington Department of Fish and Wildlife
600 Capitol Way North
Olympia, WA 98501-1091.

For Scallop Harvest Logbooks:

ATTN: FISH PROGRAM - SCALLOP HARVEST MANAGER

Washington Department of Fish and Wildlife
600 Capitol Way North
Olympia, WA 98501-1091.

For Squid Harvest Logbooks:

ATTN: FISH PROGRAM - SQUID HARVEST MANAGER

Washington Department of Fish and Wildlife
600 Capitol Way North
Olympia, WA 98501-1091.

For Coastal Sand Shrimp Harvest Logbooks:

ATTN: SAND SHRIMP HARVEST MANAGER

Washington Department of Fish and Wildlife
P.O. Box 190
Ocean Park, WA 98640-0190.

For Puget Sound Sand Shrimp Harvest Logbooks:

ATTN: SAND SHRIMP HARVEST MANAGER

Washington Department of Fish and Wildlife
P.O. Box 1100
LaConner, WA 98257.

(6) It is unlawful for vessel operators engaged in commercial harvest of shrimp (other than Puget Sound shrimp or sand shrimp) or crawfish with shellfish pot or ring net gear to fail to permanently and legibly record in ink the following information within the following time frames:

(a) Before leaving the catch area where harvest occurred, record the vessel Washington department of fish and wildlife boat registration number, number of pots or ring nets pulled, date pulled, soak time, and gear location; and

(b) Immediately after delivery of shellfish to an original receiver, record the weight of all shellfish.

(7) It is unlawful for vessel operators engaged in commercial harvest of shrimp (other than ocean pink shrimp) with beam trawl or shrimp trawl gear, to fail to permanently and legibly record in ink onto the department-supplied harvest log, the following information within the following time frames:

(a) Before commencing a new tow or prior to leaving the site where the catch was taken, record the vessel identity, current date of fishing activity, location fished, trawl width, Marine Fish-Shellfish Management and Catch Reporting Area fished, depth fished, latitude and longitude to the nearest hundredth of a minute at the beginning of each tow, tow speed, duration of tow, and estimated weight of shrimp of each species caught for each tow.

(b) Immediately after delivery of shrimp to an original receiver, or before leaving the last catch site of the day if the operator holds a wholesale fish dealer's license and is the original receiver, record the fish receiving ticket serial number.

(8) It is unlawful for vessel operators engaged in commercial harvest of sea urchins or sea cucumbers to fail to permanently and legibly record in ink the following information within the following time frames:

(a) Before leaving the harvest site, record the vessel identity, date, Marine Fish-Shellfish Catch Reporting Area fished, location fished, depth fished, latitude and longitude to the nearest tenth of a minute or to the nearest second, and the approximate weight in pounds of sea urchins or sea cucumbers harvested.

(b) Upon landing or delivery to an original receiver, the exact weight of sea urchins, as recorded on the shellfish receiving ticket, must be recorded.

(c) Upon landing or delivery to an original receiver, the exact weight of sea cucumbers, as recorded on the shellfish receiving ticket, and whether or not prelanded processing occurred ("whole-live" or "split-drained"), must be recorded.

(9) It is unlawful for license holders engaged in commercial harvest of clams with mechanical digging devices to fail to permanently and legibly record in ink the following information within the following time frames:

(a) Before the end of each day's fishing and departure from the harvest grounds, record the vessel identity if a harvest vessel is used in harvest operation, exact location by latitude and longitude to the nearest thousandths of a minute (recorded in WGS 84 datum), and date of harvest.

(b) Weight by each clam species in pounds upon landing or delivery to an original receiver.

(c) Weight in pounds of each clam species caught and returned to the harvest grounds.

(10) It is unlawful for vessel operators engaged in commercial harvest of scallops to fail to permanently and legibly record in ink the following information within the following time frames:

(a) Before leaving the location where the catch was taken, record the vessel identity, date, location, and duration of harvest and estimated weight in pounds and species of scallops caught for each tow or dive hour.

(b) Upon landing or delivery to an original receiver, the exact weight in pounds, as recorded on the shellfish receiving ticket, and species of harvested scallops.

(11) It is unlawful for vessel operators engaged in commercial harvest of squid, except when taken incidental to any other lawful fishery, to fail to permanently and legibly record in ink the following information within the following time frames:

(a) Before leaving the Marine Fish-Shellfish Management and Catch Reporting Area where taken, the vessel's Washington department of fish and wildlife boat registration number, gear type, catch area, starting and ending time of fishing, and numbers of other species caught and returned.

(b) Weight in pounds of squid upon landing or delivery to an original receiver.

(12) It is unlawful for license holders engaged in commercial harvest of sand shrimp, except when taken incidental to other lawful fishery, to fail to permanently and legibly record in ink the following information within the following time frames:

(a) Prior to leaving the harvest site, the location or identification number of the harvest tract, date of harvest, number of trenches pumped, average length and width of trenches (yards), total number of sand shrimp retained (dozens).

(b) At the time of delivery to an original receiver, total number of sand shrimp sold (dozens), and the name of the sand shrimp buyer.

(13) It is unlawful for vessel operators engaged in commercial harvest of shrimp (other than sand shrimp), using shellfish pot gear in Puget Sound, to fail to permanently and legibly record in ink onto the department-supplied harvest logs, the following information within the following time frames:

(a) Prior to leaving the harvest site, the vessel's Washington department of fish and wildlife boat registration number, date, number of pots pulled, pot mesh size, depth fished, soak

time, gear location (including latitude and longitude to the nearest hundredth of a minute), species targeted, and weight(s) in pounds of catch. A separate weight for each species caught and retained must be recorded. When single pots are fished an entry is required for each pot site. When two or more pots are fished on a common ground line the catch site must be recorded at the location of the last pot on the ground line that is pulled.

(b) Immediately after delivery of shrimp to an original receiver, or before leaving the last catch site of the day if the operator holds a wholesale fish dealer's license and is the original receiver, record the fish receiving ticket serial number.

(14) It is unlawful for vessel operators engaged in commercial harvest of shrimp from Puget Sound with shellfish pot gear to fail to report their daily catch by telephone before leaving the last catch site fished each day, in the following manner:

(a) For harvest in Shrimp Management Areas 1A, 1B, 1C, or 2, reports must be made to the voice recorder at the La Conner district office: 360-446-4345 ext 245.

(b) For harvest in Shrimp Management Areas 3, 4, or 6, reports must be made to the voice recorder at the Point Whitney shellfish laboratory: 360-796-4601 ext 800.

(c) All reports must specify the fisher's name, estimated total number of pounds of each shrimp species in possession, number of pots fished, number of pot pulls (pots multiplied by pulls), the Marine Fish-Shellfish Management and Catch Reporting Area where shrimp were harvested, and the port or name of vessel where the catch will be landed or sold.

(15) Violation of this section as it relates to failing to report required information or failing to submit log books is punishable under RCW 77.15.280 reporting of fish or wild-life harvest. Violation of this section as it relates to knowingly providing false or misleading information is punishable under RCW 77.15.270, providing false information.

[Statutory Authority: RCW 77.12.047, 07-21-083 (Order 07-256), § 220-52-075, filed 10/17/07, effective 11/17/07; 03-05-064 (Order 03-28), § 220-52-075, filed 2/18/03, effective 3/21/03; 01-02-061 (Order 00-267), § 220-52-075, filed 12/29/00, effective 1/29/01; 01-02-057 (Order 00-262), § 220-52-075, filed 12/29/00, effective 1/29/01. Statutory Authority: RCW 75.08.080, 00-05-054 (Order 00-17), § 220-52-075, filed 2/14/00, effective 3/16/00; 97-08-052 (Order 97-55), § 220-52-075, filed 3/31/97, effective 5/1/97; 94-12-009 (Order 94-23), § 220-52-075, filed 5/19/94, effective 6/19/94; 93-15-051, § 220-52-075, filed 7/14/93, effective 8/14/93; 91-10-024 (Order 91-22), § 220-52-075, filed 4/23/91, effective 5/24/91; 87-15-022 (Order 87-69), § 220-52-075, filed 7/8/87; 87-02-013 (Order 86-199), § 220-52-075, filed 12/30/86; 84-08-014 (Order 84-24), § 220-52-075, filed 3/27/84; 83-09-014 (Order 83-24), § 220-52-075, filed 4/12/83; 82-03-045 (Order 82-6), § 220-52-075, filed 1/19/82; 81-11-006 (Order 81-31), § 220-52-075, filed 5/11/81; 80-13-064 (Order 80-123), § 220-52-075, filed 9/17/80; 79-12-039 (Order 79-129), § 220-52-075, filed 11/20/79; 79-02-053 (Order 79-6), § 220-52-075, filed 1/30/79.]

Chapter 220-55 WAC PERSONAL-USE LICENSES

WAC

220-55-070 Valid catch record card.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-55-010 Recreational shellfish and seaweed license. [Statutory Authority: RCW 77.32.050, 00-11-178 (Order 00-80),

§ 220-55-010, filed 5/24/00, effective 6/24/00. Statutory Authority: 1998 c 191 and RCW 75.08.080. 99-03-029 (Order 99-02), § 220-55-010, filed 1/13/99, effective 2/13/99. Statutory Authority: RCW 75.08.080. 96-05-004 (Order 96-13), § 220-55-010, filed 2/9/96, effective 3/11/96; 94-01-001, § 220-55-010, filed 12/1/93, effective 1/1/94; 93-08-034 (Order 93-20), § 220-55-010, filed 3/31/93, effective 5/1/93; 89-07-071 (Order 89-05), § 220-55-010, filed 3/20/89; 79-09-021 (Order 79-58), § 220-55-010, filed 8/10/79.] Repealed by 07-22-087 (Order 07-272), filed 11/5/07, effective 12/6/07. Statutory Authority: RCW 77.12.047.

WAC 220-55-070 Valid catch record card. A catch record card shall be invalid unless:

(1) The angler has in physical possession the appropriate recreational license and catch record card for the area in which the angler is participating, if a license and/or a catch record card is required.

(2) The catch record card number is written in ink in the appropriate space on the back of the recreational license, if a license is required, and the personal information has been entered on the catch record card as required under WAC 220-56-175, or, if an automated license is issued, the catch record card has attached to it a validation sticker containing the name and license number.

(3) The license issuance date is legible and not altered, and the license has not been mutilated.

[Statutory Authority: RCW 77.12.047. 07-05-051 (Order 07-22), § 220-55-070, filed 2/16/07, effective 3/19/07. Statutory Authority: RCW 77.32.050. 00-11-178 (Order 00-80), § 220-55-070, filed 5/24/00, effective 6/24/00. Statutory Authority: 1998 c 191 and RCW 75.08.080. 99-03-029 (Order 99-02), § 220-55-070, filed 1/13/99, effective 2/13/99. Statutory Authority: RCW 75.08.080. 94-01-001, § 220-55-070, filed 12/1/93, effective 1/1/94; 91-08-054 (Order 91-13), § 220-55-070, filed 4/2/91, effective 5/3/91; 89-07-071 (Order 89-05), § 220-55-070, filed 3/20/89; 88-05-002 (Order 88-03), § 220-55-070, filed 2/4/88; 80-03-064 (Order 80-12), § 220-55-070, filed 2/27/80, effective 4/1/80. Formerly WAC 220-105-010.]

Chapter 220-56 WAC PERSONAL-USE FISHERY

WAC

220-56-105	River mouth definitions.
220-56-116	Statewide saltwater hook rules.
220-56-122	Statewide bait rules.
220-56-175	Catch record cards.
220-56-185	Marine area codes.
220-56-195	Closed areas—Saltwater salmon angling.
220-56-210	Fly fishing.
220-56-235	Possession limits—Bottomfish.
220-56-255	Halibut—Seasons—Daily and possession limits.
220-56-282	Sturgeon—Areas, seasons, limits and unlawful acts.
220-56-315	Crabs, shrimp, crawfish—Unlawful acts.
220-56-325	Shrimp—Areas and seasons.
220-56-350	Clams other than razor clams, mussels—Areas and seasons.
220-56-380	Oysters—Areas and seasons.

WAC 220-56-105 River mouth definitions. When pertaining to food fish angling, unless otherwise defined, any reference to the mouths of rivers or streams shall be construed to include those waters of any river or stream including sloughs and tributaries upstream and inside of a line projected between the outermost uplands at the mouth. The term "outermost upland" shall be construed to mean those lands not covered by water during an ordinary high tide. The following river mouths are hereby otherwise defined:

Abernathy Creek - Highway 4 Bridge.
 Bear River - Highway 101 Bridge.
 Bone River - Highway 101 Bridge.
 Chambers Creek - Burlington Northern Railroad Bridge.
 Chehalis River - Highway 101 Bridge in Aberdeen.
 Chelan River - Railroad Bridge.
 Cispus River - Posted markers at the Lewis County P.U.D. kayak launch, approximately 1.5 miles upstream from the confluence of the Cowlitz and Cispus rivers.
 Cowlitz River - A line projected across the river between two fishing boundary markers set on each bank of the river approximately one-half mile downstream from the lowermost railroad bridge crossing the Cowlitz River.
 Dakota Creek - A line from the outermost headland of the south bank to a house at 1285 Runge Avenue, Blaine, Washington, approximately one-quarter mile downstream from the Blaine Road Bridge.
 Deschutes River - A line projected across the river 400 feet below the lower Tumwater Falls fish ladder.
 Drano Lake - Highway 14 Bridge.
 Duwamish River - First Avenue South Bridge.
 Elk River - Highway 105 Bridge.
 Entiat River - Highway 97 Bridge.
 Hawk Creek (Lincoln County) - Falls at the Hawk Creek campground.
 Hoquiam River - Highway 101 Bridge.
 Humptulips River - Mouth of Jessie Slough.
 Johns River - Highway 105 Bridge.
 Kennedy Creek - An arc 500 yards east of the midpoint of the northbound Highway 101 Bridge.
 Kettle River - Barstow Bridge.
 Lake Washington Ship Canal - A line 400 feet west of the fish ladder at the Chittenden Locks.
 Lewis River - A straight line running from a fishing boundary marker or from the outermost upland at the north shore of the Lewis River mouth, southerly across the Lewis River to a fishing boundary marker near the south shore.
 Methow River - Highway 97 Bridge.
 Naselle River - Highway 101 Bridge.
 North Nemah River - Highway 101 Bridge.
 Niawiakum River - Highway 101 Bridge.
 North River - Highway 105 Bridge.
 Palix River - Highway 101 Bridge.
 Puyallup River - 11th Street Bridge.
 Samish River - The Samish Island Bridge (Bayview-Edison Road).
 Sammamish River - 68th Avenue NE Bridge.
 Skagit River - A line projected from the terminus of the jetty with McGlinn Island to the white monument on the easterly end of Ika Island, then to a white monument on the westerly end of Craft Island, then to a white monument near the corner of the levee on the westerly side of Dry Slough, and then to a white monument on the easterly side of Tom Moore Slough.
 Skamokawa Creek - Highway 4 Bridge.

Skookum Creek - A line 400 yards below the old railroad bridge.

Snohomish River - Burlington Northern Railway Bridges crossing main river and sloughs.

South Nemah River - Lynn Point 117 degrees true to the opposite shore.

Spokane River - State Route 25 Bridge.

Wallace River - The furthest downstream railroad bridge.

Washougal River - A straight line from the Crown Zellerbach pumphouse southeasterly across the Washougal River to the east end of the Highway 14 Bridge near the upper end of Lady Island.

Whatcom Creek - A line projected approximately 14 degrees true from the flashing light at the southwesterly end of the Port of Bellingham North Terminal to the southernmost point of the dike surrounding the Georgia Pacific treatment pond.

White Salmon River - Between markers on the east and west shores downstream of the Burlington Northern Railroad Bridge except when buoys are in place southerly from the shore to the buoys and east and west between the buoys.

Little White Salmon River - At boundary markers on river bank downstream from the Little White Salmon National Fish Hatchery.

Willapa River - South Bend boat launch.

Wind River - Boundary line markers at mouth.

Yakima River - Highway 240 Bridge.

[Statutory Authority: RCW 77.12.047, 07-05-051 (Order 07-22), § 220-56-105, filed 2/16/07, effective 3/19/07; 03-05-057 (Order 03-24), § 220-56-105, filed 2/14/03, effective 5/1/03; 02-08-048 (Order 02-53), § 220-56-105, filed 3/29/02, effective 5/1/02; 01-14-001 (Order 01-107), § 220-56-105, filed 6/21/01, effective 7/22/01. Statutory Authority: RCW 75.08.080, 77.12.040, 00-08-038 (Order 00-29), § 220-56-105, filed 3/29/00, effective 5/1/00; 99-15-081 (Order 99-102), § 220-56-105, filed 7/20/99, effective 8/20/99; 98-06-031, § 220-56-105, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080, 97-07-078 (Order 97-53), § 220-56-105, filed 3/19/97, effective 5/1/97; 96-11-078 (Order 96-44), § 220-56-105, filed 5/13/96, effective 6/13/96; 95-04-066 (Order 95-10), § 220-56-105, filed 1/30/95, effective 5/1/95; 94-14-069, § 220-56-105, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-105, filed 3/31/93, effective 5/1/93; 91-08-054 (Order 91-13), § 220-56-105, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-105, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-105, filed 3/16/89; 88-10-013 (Order 88-15), § 220-56-105, filed 4/26/88; 85-09-017 (Order 85-20), § 220-56-105, filed 4/9/85; 84-09-026 (Order 84-22), § 220-56-105, filed 4/11/84; 82-13-040 (Order 82-61), § 220-56-105, filed 6/9/82; 81-05-027 (Order 81-13), § 220-56-105, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-105, filed 2/27/80, effective 4/1/80.]

WAC 220-56-116 Statewide saltwater hook rules. (1)

It is unlawful to use more than two hooks to fish in saltwater, except for forage fish jigger gear and squid jig gear, and when fishing from the north jetty of the Columbia River.

(2) It is unlawful to use barbed hooks in Marine Areas 5-13, except for forage fish jigger gear.

(3) It is unlawful to use other than one single barbless hook to fish for sturgeon.

(4) It is unlawful to use other than single barbless hooks to fish for salmon in Marine Areas 1-4, except in the Ocean Shores and Westport Boat Basins, and in Marine Area 2-1 from August 1 through January 31, as provided for in this section.

(5) It is unlawful to fish for or possess salmon taken with terminal gear hooks in violation of nonbuoyant lure restrictions in the following saltwater areas during the periods indicated:

(a) Budd Inlet waters south of a line projected true west from the KGY radio station to the mainland and north of the closed zone provided for in WAC 220-56-128 - July 16 through October 31.

(b) Duwamish waterway downstream from the First Avenue South Bridge to an east-west line through Southwest Hanford Street on Harbor Island parallel to Southwest Spokane Street where it crosses Harbor Island - July 1 through October 31.

(c) Ocean Shores Boat Basin - August 16 through January 31.

(d) Westport Boat Basin - August 16 through January 31.

(6) Use of gear in violation of this section is an infraction, punishable under RCW 77.15.160.

(7) It is unlawful to possess fish or shellfish taken with gear in violation of the provisions of this section. Possession of fish or shellfish while using gear in violation of the provisions of this section is a rebuttable presumption that the fish or shellfish were taken with such gear. Possession of such fish or shellfish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty, unless the fish or shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree—Penalty.

[Statutory Authority: RCW 77.12.047 and 77.04.020, 07-16-056, § 220-56-116, filed 7/26/07, effective 8/26/07. Statutory Authority: RCW 77.12.047, 06-09-021 (Order 06-67), § 220-56-116, filed 4/11/06, effective 5/12/06; 06-05-085 (Order 06-23), § 220-56-116, filed 2/14/06, effective 5/1/06; 02-08-048 (Order 02-53), § 220-56-116, filed 3/29/02, effective 5/1/02. Statutory Authority: 2000 c 107 § 7, 00-16-091 (Order 00-134), § 220-56-116, filed 7/31/00, effective 8/31/00. Statutory Authority: RCW 75.08.080, 95-04-066 (Order 95-10), § 220-56-116, filed 1/30/95, effective 5/1/95; 92-11-012 (Order 92-19), § 220-56-116, filed 5/12/92, effective 6/12/92; 89-10-032 (Order 89-26), § 220-56-116, filed 4/27/89; 88-10-012 (Order 88-14), § 220-56-116, filed 4/26/88; 85-09-017 (Order 85-20), § 220-56-116, filed 4/9/85; 83-07-043 (Order 83-16), § 220-56-116, filed 3/17/83; 82-13-040 (Order 82-61), § 220-56-116, filed 6/9/82.]

WAC 220-56-122 Statewide bait rules. (1) It is unlawful to fish for sturgeon except with bait.

(2) It is unlawful to use lamprey as fishing bait, regardless of the source or species of lamprey.

(3) It is lawful to use bait in saltwater.

(4) It is unlawful to chum, broadcast, feed, or distribute into freshwater any bait or other substance capable of attracting fish unless specifically authorized in exceptions to statewide rules.

(5) When fishing for trout with bait, all trout that are lawful to possess and are equal to or greater than the minimum size are counted as part of the daily limit, whether kept or released, and it is unlawful to continue to fish once the daily limit has been achieved, except that steelhead trout may be caught and released until the daily limit is taken.

(6) It is unlawful to use live fish as bait to fish for game fish.

(7) Use of bait in violation of this section is an infraction, punishable under RCW 77.15.160.

(8) It is unlawful to possess fish taken with bait in violation of the provisions of this section. Possession of fish while

using bait in violation of the provisions of this section is a rebuttable presumption that the fish were taken with such bait. Violation of this subsection is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty, unless the fish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree—Penalty.

[Statutory Authority: RCW 77.12.047 and 77.04.020. 07-16-056, § 220-56-122, filed 7/26/07, effective 8/26/07. Statutory Authority: RCW 77.12.047. 06-13-023 (Order 06-135), § 220-56-122, filed 6/13/06, effective 7/14/06; 06-09-021 (Order 06-67), § 220-56-122, filed 4/11/06, effective 5/12/06; 06-05-085 (Order 06-23), § 220-56-122, filed 2/14/06, effective 5/1/06.]

WAC 220-56-175 Catch record cards. It is unlawful for any person to fail to comply with the catch record requirements as provided for in this section:

(1) In order to fish for or possess for personal use any crab in Catch Record Card Area 4 east of the Bonilla-Tatoosh Line and in Catch Record Card Areas 5-13, anadromous salmon, sturgeon, halibut, or steelhead, an angler must obtain and have in personal possession a valid appropriate catch record card as described in WAC 220-69-236 except for commercially caught salmon retained for personal use as provided for in WAC 220-20-016 and commercially caught sturgeon retained for personal use as provided for in WAC 220-20-021. Notwithstanding the provisions of this subsection, a catch record card is not required for landlocked steelhead or for salmon in waters designated as "landlocked salmon rules apply" in WAC 232-28-619.

(2) Any angler, after obtaining a catch record card shall validate the catch record card by completely, accurately, and legibly completing all personal identification information in ink on the catch record card prior to detaching the catch record card from the underlying copy of the catch record card or, for automated licenses, affixing the appropriate validation sticker to the catch record card. A catch record card remains valid so long as there are one or more unfilled spaces available for the species being fished for, except:

(a) In the mainstem Columbia River downstream from where the river forms the common boundary between Oregon and Washington for sturgeon a catch record card remains valid when the sturgeon portion of the catch record card is filled. A person may not retain sturgeon after the sturgeon portion of the catch record card is filled.

(b) A second or subsequent catch record card is invalid for retention of sturgeon.

(3) Immediately upon catching and possessing a salmon, steelhead, sturgeon or halibut, the angler shall enter in ink in the appropriate space the place, date of catch, species (catch type), for sturgeon, length, for halibut, vessel type and for salmon, whether or not the fish was marked.

(4) Immediately upon retaining a Dungeness crab aboard a vessel or on the shore, the fisher must enter in ink in the appropriate space the place and date of catch, fishery type and enter a tally mark for each Dungeness crab retained from each catch record card area fished. At the end of the fishing day, the fisher shall enter the total number of crab tally marks for each fishery type.

(5) Every person issued a catch record card shall by April 30 of the year following the year printed on the catch record card return such card to the department of fish and

wildlife except as follows: Every person issued a Puget Sound crab catch record card shall return such catch record card to the department of fish and wildlife no later than the required return date printed on the catch record card or report their catch record card information on the internet site designated on the catch record card by the same date.

(6) Any person possessing a catch record card shall, upon demand of any law enforcement officer or authorized department employee, exhibit said card to such officer or employee for inspection.

(7) A catch record card shall not be transferred, borrowed, altered, or loaned to another person.

[Statutory Authority: RCW 77.12.047. 07-09-042 (Order 07-59), § 220-56-175, filed 4/11/07, effective 5/12/07; 06-21-031 (Order 06-262), § 220-56-175, filed 10/9/06, effective 11/9/06; 06-13-023 (Order 06-135), § 220-56-175, filed 6/13/06, effective 7/14/06; 06-05-085 (Order 06-23), § 220-56-175, filed 2/14/06, effective 5/1/06; 04-10-033 (Order 04-91), § 220-56-175, filed 4/29/04, effective 5/30/04; 03-05-057 (Order 03-24), § 220-56-175, filed 2/14/03, effective 5/1/03; 01-06-036 (Order 01-24), § 220-56-175, filed 3/5/01, effective 5/1/01. Statutory Authority: RCW 77.32.050. 00-11-178 (Order 00-80), § 220-56-175, filed 5/24/00, effective 6/24/00. Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-56-175, filed 3/29/00, effective 5/1/00; 99-17-066 (Order 99-125), § 220-56-175, filed 8/13/99, effective 4/1/00. Statutory Authority: RCW 75.08.080. 91-08-054 (Order 91-13), § 220-56-175, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-175, filed 2/28/90, effective 3/31/90; 89-07-071 (Order 89-05), § 220-56-175, filed 3/20/89; 88-05-002 (Order 88-03), § 220-56-175, filed 2/4/88; 85-11-020 (Order 85-43), § 220-56-175, filed 5/10/85; 80-03-064 (Order 80-12), § 220-56-175, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-023.]

WAC 220-56-185 Marine area codes. The term "marine area code numbers" is defined as the catch area for the catch record card. The following is a list of the catch areas:

(1) Area 1 (Ilwaco): Waters west of the Buoy 10 Line and north to Leadbetter Point.

(2)(a) Area 2 (Westport-Ocean Shores): From Leadbetter Point north to the Queets River. Area 2 excludes waters of Willapa Bay and Grays Harbor.

(b) Area 2-1: Willapa Bay east of a line from Leadbetter Point to Willapa Channel Marker 8 (Buoy 8) then to the westerly most landfall on Cape Shoalwater.

(c) Area 2-2: Grays Harbor east of a line from the outermost end of the north jetty to the outermost exposed end of the south jetty.

(3) Area 3 (La Push): From the Queets River north to Cape Alava.

(4) Area 4 (Neah Bay): From Cape Alava north and inside Juan de Fuca Strait to the Sekiu River.

(5) Area 5 (Sekiu and Pillar Point): From mouth of Sekiu River east to Low Point, mouth of the Lyre River.

(6) Area 6 (East Juan de Fuca Strait): From Low Point east to the Partridge Point-Point Wilson line north to the line from Trial Island (near Victoria, B.C.) - Rosario Strait Traffic Lane Entrance Lighted Buoy R (USCG Light List No. 16340, referenced as Y "R" on National Ocean Service Chart No. 18400-1 dated 1997-08-30) - Smith Island - the most northeasterly of the Lawson Reef lighted buoys (RB1 QK Fl Bell) - Northwest Island - the Initiative 77 marker on Fidalgo Island.

(7) Area 7 (San Juan Islands): All marine waters north of the line described under Area 6 to the United States-Canadian boundary.

(8)(a) Area 8 (Deception Pass, Hope and Camano Islands): Line projected from West Point on Whidbey Island to Reservation Head on Fidalgo Island east through Deception Pass, including all waters east of Whidbey Island to the Possession Point - Shipwreck Line.

(b) Area 8-1 (Deception Pass and Hope Island): East of a line projected from West Point on Whidbey Island to Reservation Head on Fidalgo Island, south of the Burlington Northern Railroad Bridge at the north end of Swinomish Slough, north of the Highway 532 Bridge between Camano Island and the mainland, and westerly of a line from the East Point Light on Whidbey Island to the Saratoga Pass Light #4 on Camano Island (FI red 4 sec.).

(c) Area 8-2 (Port Susan and Port Gardner): East of a line from the East Point Light on Whidbey Island to the Saratoga Pass Light #2 on Camano Island (FI red 4 sec.) and north of a line from the south tip of Possession Point 110 degrees true to a shipwreck on the opposite shore.

(9) Area 9 (Admiralty Inlet): All waters inside and south of the Partridge Point-Point Wilson Line and a line projected from the southerly tip of Possession Point 110 degrees true to a shipwreck on the opposite shore and northerly of the Hood Canal Bridge and the Apple Cove Point-Edwards Point Line.

(10) Area 10 (Seattle-Bremerton): From the Apple Cove Point-Edwards Point Line to a line projected true east-west through the northern tip of Vashon Island.

(11) Area 11 (Tacoma-Vashon Island): From the northern tip of Vashon Island to the Tacoma Narrows Bridge.

(12) Area 12 (Hood Canal): All contiguous waters south of the Hood Canal Bridge and adjacent waters north of the Hood Canal Bridge when fishing from the pontoon beneath the bridge.

(13) Area 13 (South Puget Sound): All contiguous waters south of the Tacoma Narrows Bridge.

[Statutory Authority: RCW 77.12.047, 07-05-051 (Order 07-22), § 220-56-185, filed 2/16/07, effective 3/19/07. Statutory Authority: RCW 75.08.080, 77.12.040, 00-08-038 (Order 00-29), § 220-56-185, filed 3/29/00, effective 5/1/00; 99-15-081 (Order 99-102), § 220-56-185, filed 7/20/99, effective 8/20/99; 99-08-029 (Order 99-13), § 220-56-185, filed 3/30/99, effective 5/1/99. Statutory Authority: RCW 75.08.080, 95-04-066 (Order 95-10), § 220-56-185, filed 1/30/95, effective 5/1/95; 91-08-054 (Order 91-13), § 220-56-185, filed 4/2/91, effective 5/3/91; 89-07-060 (Order 89-12), § 220-56-185, filed 3/16/89; 88-10-013 (Order 88-15), § 220-56-185, filed 4/26/88; 85-18-026 (Order 85-111), § 220-56-185, filed 5/27/85; 85-09-017 (Order 85-20), § 220-56-185, filed 4/9/85; 80-03-064 (Order 80-12), § 220-56-185, filed 2/27/80, effective 4/1/80.]

WAC 220-56-195 Closed areas—Saltwater salmon angling. The following areas shall be closed to salmon angling during the times indicated:

(1) Bellingham Bay: Those waters of Bellingham, Samish and Padilla Bays southerly of a line projected from the most westerly point of Gooseberry Point to Sandy Point, easterly of a line from Sandy Point to Point Migley thence along the eastern shoreline of Lummi Island to Carter Point, thence to the most northerly tip of Vendovi Island thence to Clark Point on Guemes Island thence following the shoreline to Yellow Bluff on the southwest corner of Guemes Island thence to Yellow Bluff Reef range marker thence to the ferry terminal dock east of Shannon Point and north of the Burlington Railroad Bridges at the north end of Swinomish Slough shall be closed to salmon angling July 1 through August 15.

(2) Carr Inlet:

(a) Those waters north of a line from Green Point to Penrose Point are closed to salmon angling April 16 through July 31.

(b) Those waters of Carr Inlet within 1,000 feet of the outer oyster stakes at the mouth of Minter Creek are closed to salmon angling July 1 through September 30.

(3) Dungeness Bay: Those waters westerly of a line from Dungeness Spit Light to the number 2 red Buoy, and then to the Port Williams boat ramp are closed to salmon angling May 1 through September 30 and November 1 through April 30.

(4) Samish Bay: Those waters southerly of a line projected true east from Fish Point are closed to salmon angling August 1 through October 15.

(5) Columbia River Mouth Control Zone 1: Washington waters within Control Zone 1, which Control Zone is described as an area at the Columbia River mouth bounded on the west by a line running northeast/southwest between the red lighted Buoy #4 (46°13'35" N/124°06'50" W) and the green lighted Buoy #7 (46°15'09" N/124°06'16" W); on the east by the Buoy #10 line which bears north/south at 357° true from the south jetty at 46°14'00" N/124°03'07" W to its intersection with the north jetty; on the north by a line running northeast/southwest between the green lighted Buoy #7 to the tip of the north jetty (46°14'48" N/124°05'20" W) and then along the north jetty to the point of intersection with the Buoy #10 line; and on the south by a line running northeast/southwest between the red lighted Buoy #4 and the tip of the south jetty (46°14'03" N/124°04'05" W) and then along the south jetty to the point of intersection with the Buoy #10 line are closed to salmon angling at all times except open to fishing from the north jetty when adjacent waters north of the Control Zone are open to salmon angling or the Buoy 10 fishery is open.

(6) Commencement Bay: Those waters east of a line projected from the Sperry Ocean Dock to landfall below the Cliff House Restaurant on the north shore of Commencement Bay are closed June 1 through July 31.

(7) Southern Rosario Strait and eastern Strait of Juan de Fuca: Waters of Area 7 in Rosario Strait and the eastern portion of the Strait of Juan de Fuca southerly of a line running true south from the westernmost point on Fidalgo Head to Burrows Island, then westerly and southerly along the shore of Burrows Island to the Burrows Island Lighthouse, then to Bird Rocks, then westerly from Bird Rocks to the southernmost point on Decatur Island, then across Lopez Pass to Lopez Island and following the shore of Lopez Island southerly and westerly to Iceberg Point, then from Iceberg Point to Cattle Point, then south southwest to the Salmon Bank Buoy, and then true south from the Salmon Bank Buoy to the Area 7 boundary - Closed to fishing for salmon July 1 - September 30.

(8) Kydaka Point - waters south of a line from Kydaka Point to Shipwreck Point are closed to fishing for salmon July 1 through September 30.

(9) Port Angeles Harbor - waters westerly of a line from the tip of Ediz Hook to the I.T.T. Rayonier Dock are closed to fishing for salmon from July 1 through August 31.

(10) Port Susan - waters north of a line from Camano Head to a boundary marker approximately 1.4 miles northwest of Hermosa Point closed to salmon fishing August 1 through August 31.

(11) Grays Harbor Control Zone: Waters within a line from the lighthouse one mile south of the south jetty, thence to Buoy number 2, thence to Buoy number 3, thence to the tip of the north jetty, thence to the exposed end of the south jetty, thence following the south jetty and shoreline to the lighthouse closed to fishing for salmon August 1 through September 18.

[Statutory Authority: RCW 77.12.047 and 77.04.020. 07-16-056, § 220-56-195, filed 7/26/07, effective 8/26/07. Statutory Authority: RCW 77.12.047. 05-17-007 (Order 05-168), § 220-56-195, filed 8/3/05, effective 9/3/05; 04-24-030 (Order 04-306), § 220-56-195, filed 11/23/04, effective 12/24/04; 02-15-097 (Order 02-158), § 220-56-195, filed 7/16/02, effective 8/16/02; 01-14-001 (Order 01-107), § 220-56-195, filed 6/21/01, effective 7/22/01. Statutory Authority: 2000 c 107 § 7. 00-16-091 (Order 00-134), § 220-56-195, filed 7/31/00, effective 8/31/00. Statutory Authority: RCW 75.08.080 and 77.12.040. 99-15-081 (Order 99-102), § 220-56-195, filed 7/20/99, effective 8/20/99; 98-15-081 (Order 98-122), § 220-56-195, filed 7/15/98, effective 8/15/98. Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-56-195, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-56-195, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-56-195, filed 5/31/95, effective 7/1/95; 94-14-069, § 220-56-195, filed 7/1/94, effective 8/1/94; 93-14-043 (Order 93-36), § 220-56-195, filed 6/29/93, effective 7/30/93; 92-11-012 (Order 92-19), § 220-56-195, filed 5/12/92, effective 6/12/92; 90-06-026, § 220-56-195, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-195, filed 3/16/89; 88-10-013 (Order 88-15), § 220-56-195, filed 4/26/88; 87-09-066 (Order 87-16), § 220-56-195, filed 4/21/87; 86-09-020 (Order 86-08), § 220-56-195, filed 4/9/86; 85-09-017 (Order 85-20), § 220-56-195, filed 4/9/85; 83-07-043 (Order 83-16), § 220-56-195, filed 3/17/83; 82-13-040 (Order 82-61), § 220-56-195, filed 6/9/82; 80-03-064 (Order 80-12), § 220-56-195, filed 2/27/80, effective 4/1/80.]

WAC 220-56-210 Fly fishing. (1) It is unlawful to fish in waters restricted to "fly fishing only" with the use of:

- (a) A fixed spool reel.
- (b) Fishing line other than conventional fly line, except that other line may be used for backing and leader if it is attached to not less than 25 feet of conventional fly line.
- (c) Hooks that exceed 1/2 inch when measured from point to shank.
- (d) Not more than two flies each with a barbless single hook.
- (e) Bait.
- (f) Weight attached to the leader or line.
- (2) Only knotless nets may be used to land fish in waters restricted to "fly fishing only."
- (3) Violation of this subsection is an infraction, punishable under RCW 77.15.160.

It is unlawful to possess fish taken with gear in violation of the provisions of this section. Possession of fish while using gear in violation of the provisions of this section is a rebuttable presumption that the fish were taken with such gear. Possession of such fish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty, unless the fish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree—Penalty.

(4) "Fly" means a lure on which thread, feathers, hackle, or yarn cover a minimum of half the shank of the hook. Metallic colored tape, tinsel, mylar, or beadeyes may be used as an integral part of the design of the fly pattern.

(5) Notwithstanding the provisions of this section, persons who have a permanent disability that significantly limits the use of one or both upper extremities may use spinning gear and may fish from a floating device equipped with an electric motor in lakes where fishing from a floating device is allowed in fly fishing only waters as provided for in this section.

(a) A fisher with a disability must apply for a fly fishing special use permit by presenting a letter from a physician stating that the fisher's disability is permanent and that, because of the inability to use one or both upper extremities, the fisher is physically incapable of using conventional fly fishing gear.

(b) The fisher will be issued a fly fishing special use permit in the form of a wearable tag. The fisher must have the special use permit in his or her possession at all times while using spin casting gear in fly fishing only waters, and may display the permit on outer clothing.

(c) It is lawful for persons in possession of a fly fishing special use permit to use the following gear:

- (i) Fishers may use spin casting gear with a casting bubble.
- (ii) Monofilament line is permitted with no limit on the breaking strength of the line.
- (iii) Hook size and barb restrictions, fishing fly requirements, and bait and weight prohibitions as provided for in this section apply to both conventional fly fishing and spin-bubble fly fishing.

[Statutory Authority: RCW 77.12.047. 07-05-051 (Order 07-22), § 220-56-210, filed 2/16/07, effective 3/19/07; 06-09-021 (Order 06-67), § 220-56-210, filed 4/11/06, effective 5/12/06; 02-08-048 (Order 02-53), § 220-56-210, filed 3/29/02, effective 5/1/02; 01-06-051 (Order 01-31), § 220-56-210, filed 3/6/01, effective 4/6/01. Statutory Authority: RCW 75.08.080. 95-04-066 (Order 95-10), § 220-56-210, filed 1/30/95, effective 5/1/95; 80-03-064 (Order 80-12), § 220-56-210, filed 2/27/80, effective 4/1/80.]

WAC 220-56-235 Possession limits—Bottomfish. It is unlawful for any person to take in any day more than the following quantities of bottomfish for personal use. The possession limit at any time shall not exceed the equivalent of two daily limits in fresh, frozen or processed form. Unless otherwise provided bottomfish fishing is open the entire year.

(1) Coastal (Catch Record Card Areas 1 through 4) - 15 fish in the aggregate of all species and species groups of bottomfish, which may include no more than:

(a) Lingcod - 2 fish:

(i) Minimum length 22 inches in Catch Record Card Areas 1 through 3.

(ii) Minimum length 24 inches in Catch Record Card Area 4.

(b) Rockfish - 10 fish. Release all canary and yelloweye rockfish.

(c) Surfperch (excluding shiner perch) - 15 fish.

(d) Wolfel - 0 fish from Catch Record Card Area 4.

(e) Cabezon - 2 fish east of the Bonilla-Tatoosh line.

(2) Inner Puget Sound (Catch Record Card Areas 5 through 13):

(a) Catch Record Card Areas 5 and 6 - 15 fish in the aggregate of all species and species groups of bottomfish, which may include no more than:

Rockfish except	1 fish May 1 through September 30
in Marine Area 5 west of Slip Point	3 fish of which no more than 1 may be other than black rockfish
Surfperch	10 fish
Pacific cod	2 fish
Pollock	2 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	2 fish
Pacific hake	2 fish

(b) Catch Record Card Area 7 - 15 fish in the aggregate of all species of bottomfish, which may include no more than:

Rockfish	1 fish May 1 through September 30
Surfperch	10 fish
Pacific cod	2 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	2 fish
Pollock	2 fish
Pacific hake	2 fish

(c) Catch Record Card Areas 8-1 through 11 and 13 - 15 fish in the aggregate of all species and species groups of bottomfish, which may include no more than:

Rockfish in Area 9 May 1 through September 30 and in Areas 8-1, 8-2, 10, 11 and 13 when lingcod or salmon seasons are open. Rockfish closed in Area 12	1 fish
Surfperch	10 fish
Pacific cod	0 fish
Pollock	0 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	2 fish
Pacific hake	0 fish

(d) Catch Area 12: Closed.

(e) It is unlawful to possess lingcod taken by angling less than 26 inches in length or greater than 40 inches in length.

(f) The daily limit taken by spear fishing may include no more than one lingcod. There is no size restriction on the one lingcod allowed in the daily limit if taken by spear fishing.

(g) It is unlawful to retain cabezon taken from Catch Record Card Areas 5 through 11 and 13 from December 1 through April 30.

(h) It is unlawful to retain six-gill shark taken from Catch Record Card Areas 5 through 13.

(i) It is unlawful to retain canary or yelloweye rockfish taken from Catch Record Card Areas 5 through 13.

(j) It is unlawful to take rockfish by spear fishing in Catch Record Card Areas 5 through 13.

(k) In Catch Record Areas 5 through 11 and 13, the daily limit for rockfish is the first legal rockfish caught, except in Area 5 west of Slip Point the daily limit for rockfish is the first three legal rockfish caught, provided that no more than one of the three may be other than black rockfish. After the daily limit of rockfish is caught, all subsequent rockfish must be released.

[Statutory Authority: RCW 77.12.047 and 77.65.200. 07-12-080, § 220-56-235, filed 6/5/07, effective 7/6/07. Statutory Authority: RCW 77.12.047. 04-17-098 (Order 04-218), § 220-56-235, filed 8/17/04, effective 9/17/04; 04-07-009 (Order 04-39), § 220-56-235, filed 3/4/04, effective 5/1/04; 03-16-100 (Order 03-178), § 220-56-235, filed 8/6/03, effective 9/6/03; 03-05-057 (Order 03-24), § 220-56-235, filed 2/14/03, effective 5/1/03; 02-09-001 (Order 02-53A), § 220-56-235, filed 4/3/02, effective 5/4/02; 01-06-036 (Order 01-24), § 220-56-235, filed 3/5/01, effective 5/1/01. Statutory Authority: 2000 c 107 § 7. 00-17-016 (Order 00-139), § 220-56-235, filed 8/3/00, effective 9/3/00. Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-56-235, filed 3/29/00, effective 5/1/00; 99-15-081 (Order 99-102), § 220-56-235, filed 7/20/99, effective 8/20/99. Statutory Authority: RCW 75.08.080. 98-15-032 (Order 98-119), § 220-56-235, filed 7/7/98, effective 8/7/98; 97-07-078 (Order 97-53), § 220-56-235, filed 3/19/97, effective 5/1/97; 96-05-004 (Order 96-13), § 220-56-235, filed 2/9/96, effective 5/1/96; 95-04-066 (Order 95-10), § 220-56-235, filed 1/30/95, effective 5/1/95; 94-14-069, § 220-56-235, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-235, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-56-235, filed 5/12/92, effective 6/12/92; 91-08-054 (Order 91-13), § 220-56-235, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-235, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-235, filed 3/16/89; 88-10-013 (Order 88-15), § 220-56-235, filed 4/26/88; 85-09-017 (Order 85-20), § 220-56-235, filed 4/9/85; 84-09-026 (Order 84-22), § 220-56-235, filed 4/11/84; 83-07-043 (Order 83-16), § 220-56-235, filed 3/17/83; 80-07-017 (Order 80-45), § 220-56-235, filed 6/11/80; 80-03-064 (Order 80-12), § 220-56-235, filed 2/27/80, effective 4/1/80.]

WAC 220-56-255 Halibut—Seasons—Daily and possession limits. (1) It is unlawful to fish for or possess halibut taken for personal use except from the areas or in excess of the amounts provided for in this section:

(a) Catch Record Card Area 1: Open May 1 through September 30. By-catch restriction: It is unlawful during any vessel trip to bring into port or land bottomfish except sablefish if the vessel has brought halibut into port or landed halibut.

(b) Catch Record Card Area 2:

(i) Those waters south of the Queets River, north of 47° and east of 124°40'W - Open May 1 through September 30.

(ii) All other waters in Area 2 - Open May 1 through September 30, except closed to fishing for halibut 12:01 a.m. of each Friday through 11:59 p.m. of each Saturday.

(c) Catch Record Card Areas 3 and 4 - Open May 10 through September 30, except closed to fishing for halibut 12:01 a.m. of each Sunday through 11:59 p.m. of each Monday. The following area southwest of Cape Flattery is closed to halibut fishing at all times:

Those waters within an eastward facing "C" shaped closed area defined as: Beginning at 48°18'N. lat.; 125°18'W. long., thence to 48°18'N. lat.; 124°59'W. long., thence to 48°11'N. lat.; 124°59'W. long., thence to 48°11'N. lat.; 125°11'W. long., thence to 48°04'N. lat.; 125°11'W. long., thence to 48°04'N. lat.; 124°59'W. long., thence to 48°00'N. lat.; 124°59'W. long., thence to 48°00'N. lat.; 125°18'W. long., thence to the point of origin.

It is unlawful to fish for or possess bottomfish seaward of a line approximating the 20-fathom depth contour as

defined by the following coordinates, from May 21 through September 30, on days and times closed to halibut fishing:

48°23.9'N.; 124°44.2'W.
 48°23.6'N.; 124°44.9'W.
 48°18.6'N.; 124°43.6'W.
 48°18.6'N.; 124°48.2'W.
 48°10.0'N.; 124°48.8'W.
 48°02.4'N.; 124°49.3'W.
 47°37.6'N.; 124°34.3'W.
 47°31.7'N.; 124°32.4'W.

(d) Catch Record Card Area 5 - Open May 26 through July 31, except closed to fishing for halibut 12:01 a.m. of each Tuesday through 11:59 p.m. of each Wednesday.

(e) Catch Record Card Areas 6 through 13 - Open April 14 through June 20, except closed to fishing for halibut 12:01 a.m. of each Tuesday through 11:59 p.m. of each Wednesday.

(2) Daily limit one halibut taken from state and offshore waters, except Canadian waters. See WAC 220-56-156 for limits on Canadian-origin halibut.

(3) The possession limit is two daily limits of halibut in any form, except the possession limit aboard the fishing vessel is one daily limit. See WAC 220-56-156 for rules on Canadian-origin halibut possession.

(4) It is unlawful to land halibut outside the catch area in which the halibut were taken, except for Canadian-origin halibut. See WAC 220-56-156 for rules on landing Canadian-origin halibut.

[Statutory Authority: RCW 77.12.047 and 77.04.020. 07-21-068, § 220-56-255, filed 10/15/07, effective 11/15/07. Statutory Authority: RCW 77.12.-047. 06-17-057 (Order 06-199), § 220-56-255, filed 8/10/06, effective 9/10/06; 05-14-035 (Order 05-130), § 220-56-255, filed 6/24/05, effective 7/25/05; 03-05-057 (Order 03-24), § 220-56-255, filed 2/14/03, effective 5/1/03. Statutory Authority: RCW 75.08.080 and 77.12.040. 99-15-081 (Order 99-102), § 220-56-255, filed 7/20/99, effective 8/20/99; 99-08-029 (Order 99-13), § 220-56-255, filed 3/30/99, effective 5/1/99; 98-06-031, § 220-56-255, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-255, filed 3/19/97, effective 5/1/97; 95-12-027 (Order 95-46), § 220-56-255, filed 5/31/95, effective 7/1/95; 94-14-069, § 220-56-255, filed 7/1/94, effective 8/1/94; 93-15-011, § 220-56-255, filed 7/8/93, effective 8/8/93; 93-08-034 (Order 93-20), § 220-56-255, filed 3/31/93, effective 5/1/93; 89-07-060 (Order 89-12), § 220-56-255, filed 3/16/89; 88-10-013 (Order 88-15), § 220-56-255, filed 4/26/88; 85-10-062 (Order 85-39), § 220-56-255, filed 5/1/85; 80-03-064 (Order 80-12), § 220-56-255, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-071.]

WAC 220-56-282 Sturgeon—Areas, seasons, limits and unlawful acts. (1) It is unlawful to retain green sturgeon.

(2) It is lawful to fish for white sturgeon the entire year in saltwater, but open in freshwater only concurrent with a salmon or gamefish opening unless otherwise provided.

(3) The daily limit is one white sturgeon, with the following size restrictions:

(a) Minimum size 48 inches in length in the Columbia River and tributaries upstream from The Dalles Dam.

(b) Minimum size 42 inches in length in all other state waters.

(c) Maximum size 60 inches in length.

Once the daily limit has been retained, it is lawful to continue to fish for sturgeon in the mainstem of the Columbia River downstream from where the river forms the boundary between Oregon and Washington, provided that all subsequent sturgeon are released immediately.

(4) The possession limit is two daily limits of fresh, frozen or processed white sturgeon.

(5) There is an annual personal-use limit of five white sturgeon from April 1 through March 31, regardless of where the sturgeon were taken. After the annual limit of sturgeon has been taken, it is lawful to continue to fish for white sturgeon in the mainstem Columbia River downstream from where the river forms the common boundary between Oregon and Washington, provided that all subsequent sturgeon are released immediately.

(6) It is unlawful to fish for sturgeon with terminal gear other than bait and one single barbless hook. It is lawful to use artificial scent with bait when fishing for white sturgeon. Violation of this subsection is an infraction, punishable under RCW 77.15.160. It is unlawful to possess sturgeon taken with gear in violation of the provisions of this section. Possession of sturgeon while using gear in violation of the provisions of this section is a rebuttable presumption that the sturgeon were taken with such gear. Possession of such sturgeon is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty, unless the sturgeon are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree—Penalty.

(7) It is unlawful to fish for or possess sturgeon taken for personal use from freshwater, except the Chehalis River, from one hour after official sunset to one hour before official sunrise.

(8) It is unlawful to possess in the field sturgeon eggs without having retained the intact carcass of the fish from which the eggs have been removed.

(9) It is unlawful to use a gaff or other fish landing aid that penetrates the fish while restraining, handling or landing a sturgeon.

(10) It is unlawful to fail to immediately return to the water any undersize sturgeon.

[Statutory Authority: RCW 77.12.047. 07-05-051 (Order 07-22), § 220-56-282, filed 2/16/07, effective 3/19/07; 06-09-021 (Order 06-67), § 220-56-282, filed 4/11/06, effective 5/12/06; 05-05-035 (Order 05-15), § 220-56-282, filed 2/10/05, effective 5/1/05; 04-07-009 (Order 04-39), § 220-56-282, filed 3/4/04, effective 5/1/04; 03-21-133 (Order 03-273), § 220-56-282, filed 10/21/03, effective 4/1/04; 03-18-006 (Order 03-209), § 220-56-282, filed 8/20/03, effective 9/20/03; 02-08-048 (Order 02-53), § 220-56-282, filed 3/29/02, effective 5/1/02; 01-06-036 (Order 01-24), § 220-56-282, filed 3/5/01, effective 5/1/01. Statutory Authority: RCW 75.08.080. 95-04-066 (Order 95-10), § 220-56-282, filed 1/30/95, effective 5/1/95; 91-08-054 (Order 91-13), § 220-56-282, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-282, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-282, filed 3/16/89.]

WAC 220-56-315 Crabs, shrimp, crawfish—Unlawful acts. (1) It is unlawful to take and possess crabs, shrimp, and crawfish taken for personal use except by hand or with hand dip nets, ring nets, shellfish pots, and any hand-operated instrument that will not penetrate the shell.

(2) It is unlawful to set, fish, or pull more than two units of gear at any one time except:

(a) In Puget Sound waters it is unlawful to set, fish, or pull at any one time more than two units of crab gear and two additional units of shrimp gear.

(b) It is unlawful for the operator of any boat from which shrimp pots are set, fished, or pulled in Catch Record Card

Areas 4 through 13 to have on board or to fish more than four shrimp pots.

(c) In the Columbia River it is unlawful to set, fish, or pull more than three units of crab gear.

(3) It is unlawful for any person to operate a shellfish pot not attached to a buoy bearing that person's name, except that a second person may assist the pot owner in operation of the gear.

(4) It is unlawful to salvage or attempt to salvage shellfish pot gear from Hood Canal that has been lost without first obtaining a permit authorizing such activity issued by the director, and it is unlawful to fail to comply with all provisions of such permit.

(5) It is unlawful to fish for or possess crab taken for personal use from the waters of Fidalgo Bay within 25 yards of the Burlington Northern Railroad trestle connecting March Point and Anacortes.

(6) It is unlawful to fish for or possess crab taken for personal use with shellfish pot or ring net gear from the waters of Padilla Bay or Swinomish Slough within 25 yards of the Burlington Northern Railroad crossing the northern end of Swinomish Slough except from one hour before official sunrise to one hour after official sunset.

(7) It is unlawful to dig for or possess ghost or mud shrimp taken for personal use by any method except hand operated suction devices or dug by hand.

(8) One unit of gear is equivalent to one ring net or one shellfish pot. It is unlawful to have more than one unit of unattended gear attached to a buoy line or to fail to have a separate buoy for each unit of gear.

(9) In waters open only on certain days or certain hours during the day, except for the night closure set out in subsection (10) of this section, it is unlawful to fail to remove gear from the water when fishing for shellfish is not allowed, and it is unlawful to fail to remove gear from the water by one hour after sunset if fishing is not allowed on the next calendar day. In waters that are open continuously except for the night closure set out in subsection (10) of this section, gear may be left in the water during the night closure.

(10) It is unlawful to set or pull shellfish pots, ring nets or star traps from a vessel in Catch Record Card Areas 1-13 from one hour after official sunset to one hour before official sunrise.

(11) It is unlawful to possess soft-shelled crab for any personal use purpose. Violation of this subsection shall be an infraction, punishable under RCW 77.15.160.

[Statutory Authority: RCW 77.12.047, 07-05-051 (Order 07-22), § 220-56-315, filed 2/16/07, effective 3/19/07; 05-12-007 (Order 05-102), § 220-56-315, filed 5/19/05, effective 6/19/05; 05-05-035 (Order 05-15), § 220-56-315, filed 2/10/05, effective 5/1/05; 04-07-009 (Order 04-39), § 220-56-315, filed 3/4/04, effective 5/1/04; 02-19-014 (Order 02-224), § 220-56-315, filed 9/6/02, effective 10/7/02; 02-08-048 (Order 02-53), § 220-56-315, filed 3/29/02, effective 5/1/02; 01-07-024 (Order 01-39), § 220-56-315, filed 3/14/01, effective 4/14/01. Statutory Authority: RCW 75.08.080, 77.12.040, 00-08-038 (Order 00-29), § 220-56-315, filed 3/29/00, effective 5/1/00; 98-06-031, § 220-56-315, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080, 94-14-069, § 220-56-315, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-315, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-56-315, filed 5/12/92, effective 6/12/92; 89-07-060 (Order 89-12), § 220-56-315, filed 3/16/89; 81-05-027 (Order 81-13), § 220-56-315, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-315, filed 2/27/80, effective 4/1/80.]

WAC 220-56-325 Shrimp—Areas and seasons. It is unlawful to fish for or possess shrimp taken for personal use from the following areas, except as otherwise provided in this section:

(1) Discovery Bay Shrimp District and Marine Areas 8, 9, 10 and 11 - Open 7:00 a.m. through 3:00 p.m., beginning the first Saturday in May through May 31 and open only on Wednesday and Saturday of each week except it is lawful for divers to take shrimp by hand or hand-held device from 7:00 p.m. until midnight on any open day in May in Marine Area 8-2;

(2) Hood Canal Shrimp District - Open 9:00 a.m. through 1:00 p.m., the first Saturday in May through May 31 and open only on Wednesday and Saturday of each week;

(3) Marine Area 4 east of the Bonilla-Tatoosh line and Marine Areas 5, 6, 7 and 13, except for Shrimp Districts - Open 7:00 a.m. the first Saturday in May through May 31 and open daily except open only Wednesday through Saturday in Marine Area 7.

(4) Beginning June 1 through October 15 in Marine Area 4 east of the Bonilla-Tatoosh line and Areas 5 through 13, shrimp fishing is open daily except closed in Area 10 and the shrimp districts at all times. Unlawful to retain spot shrimp.

(5) Marine Areas 1 through 3 and Marine Area 4 west of the Bonilla-Tatoosh line - Open year-round.

[Statutory Authority: RCW 77.12.047, 07-05-051 (Order 07-22), § 220-56-325, filed 2/16/07, effective 3/19/07; 06-05-085 (Order 06-23), § 220-56-325, filed 2/14/06, effective 5/1/06; 05-05-035 (Order 05-15), § 220-56-325, filed 2/10/05, effective 5/1/05; 04-07-009 (Order 04-39), § 220-56-325, filed 3/4/04, effective 5/1/04; 03-05-057 (Order 03-24), § 220-56-325, filed 2/14/03, effective 5/1/03; 01-06-036 (Order 01-24), § 220-56-325, filed 3/5/01, effective 5/1/01. Statutory Authority: RCW 75.08.080 and 77.12.040, 99-15-081 (Order 99-102), § 220-56-325, filed 7/20/99, effective 8/20/99; 98-06-031, § 220-56-325, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080, 97-07-078 (Order 97-53), § 220-56-325, filed 3/19/97, effective 5/1/97; 96-05-004 (Order 96-13), § 220-56-325, filed 2/9/96, effective 5/1/96; 93-08-034 (Order 93-20), § 220-56-325, filed 3/31/93, effective 5/1/93; 89-07-060 (Order 89-12), § 220-56-325, filed 3/16/89; 86-09-020 (Order 86-08), § 220-56-325, filed 4/9/86; 84-09-026 (Order 84-22), § 220-56-325, filed 4/11/84; 80-03-064 (Order 80-12), § 220-56-325, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-084.]

WAC 220-56-350 Clams other than razor clams, mussels—Areas and seasons. (1) It is lawful to take, dig for and possess clams and mussels taken for personal use on Puget Sound the entire year except that public tidelands at the following beaches are closed unless otherwise provided:

(a) Ala Spit: Open May 1 through May 31.

(b) Cama Beach State Park: Closed the entire year.

(c) Camano Island State Park: Closed the entire year.

(d) Dosewallips State Park: Open May 15 through July 31 only in area defined by boundary markers and signs posted on the beach.

(e) Dungeness Spit and Dungeness National Wildlife Refuge Tidelands - Open May 15 through September 30.

(f) Eagle Creek: Closed the entire year.

(g) Fort Flagler State Park including that portion of the spit west of the park boundary (Rat Island): Open April 1 through June 30.

(h) Freeland County Park - Open January 1 through May 15.

(i) Frye Cove County Park - Open January 1 through June 15.

(j) Garrison Bay: Tidelands at Guss Island and those tidelands at British camp between the National Park Service dinghy dock at the north end and the park boundary at the south end are closed the entire year.

(k) Gertrude Island - All tidelands at Gertrude Island closed the entire year.

(l) Hoodspout: Tidelands at Hoodspout Salmon Hatchery are closed the entire year.

(m) Hope Island State Park (South Puget Sound): Open April 1 through May 31.

(n) Illahee State Park: April 1 through July 31.

(o) Kayak Point County Park: Closed the entire year.

(p) Kitsap Memorial State Park: Open May 15 through June 30.

(q) Kopachuck State Park: Open June 1 through July 31.

(r) Liberty Bay - All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed to the harvest of clams the entire year.

(s) McNeil Island - All tidelands on McNeil Island are closed the entire year.

(t) Mukilteo State Park - Closed the entire year.

(u) Mystery Bay State Park: Open October 1 through April 30.

(v) Oak Bay County Park: Open July 1 through July 31.

(w) Oyster Reserves: Puget Sound and Willapa Bay state oyster reserves are closed the entire year except as follows:

(i) North Bay: State-owned oyster reserves open the entire year.

(ii) Oakland Bay: Tidelands at the north end of Oakland Bay and on the channel of the northwest shore of the Bay-shore Peninsula between department markers open the entire year.

(iii) Willapa Bay - Long Island oyster reserve: Northwest side of Long Island between reserve monuments 39 and 41 and southwest side of Long Island between reserve monuments 58 and 59.

(x) Penrose Point State Park: Open March 1 through May 31.

(y) Picnic Point County Park: Closed the entire year.

(z) Pitship Point: Closed the entire year.

(aa) Pitt Island - All tidelands on Pitt Island are closed the entire year.

(bb) Point Whitney (excluding Point Whitney Lagoon): March 1 through May 15.

(cc) Point Whitney Lagoon: Open May 15 through June 30.

(dd) Port Townsend Ship Canal/Portage Canal: Open January 1 through May 31.

(ee) Potlatch DNR tidelands: April 1 through August 31.

(ff) Potlatch East: April 1 through August 31.

(gg) Potlatch State Park: April 1 through August 31.

(hh) Purdy Spit County Park: The southern shore of the spit from the boat ramp to the bridge is closed the entire year.

(ii) Quilcene Bay Tidelands - All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed to the harvest of clams the entire year, except those state-owned tidelands on the west side of the bay north of the Quilcene Boat Haven are open April 1 through December 31, daily from official sunrise to official sunset only.

(jj) Rendsland Creek: Open January 1 through June 15.

(kk) Saltwater State Park: Closed the entire year.

(ll) Scenic Beach State Park - April 15 through May 15.

(mm) Seahurst County Park: Closed the entire year.

(nn) Sequim Bay State Park - Open May 1 through June 15.

(oo) Shine Tidelands State Park: Open January 1 through May 15.

(pp) South Indian Island County Park: April 1 through August 31.

(qq) Spencer Spit State Park: Open March 1 through July 31.

(rr) Triton Cove Tidelands: Open July 1 through September 30.

(ss) Twanoh State Park: Closed the entire year.

(tt) West Dewatto: DNR Beach 44A closed the entire year.

(uu) Willapa Bay: State-owned tidelands east of the department Willapa Bay Field Station and Nahcotta Tidelands Interpretive Site are closed year-round.

(vv) Wolfe Property State Park: Open January 1 through May 15.

(2) It is lawful to take, dig for and possess clams, cockles, borers, and mussels, not including razor clams, taken for personal use in Grays Harbor and Willapa Harbor the entire year, except from state oyster reserves, which are closed to clam digging the entire year.

(3) It is lawful to take, dig for and possess clams, cockles, borers, and mussels, not including razor clams taken for personal use from the Pacific Ocean beaches from November 1 through March 31.

[Statutory Authority: RCW 77.12.047, 07-05-051 (Order 07-22), § 220-56-350, filed 2/16/07, effective 3/19/07; 06-05-085 (Order 06-23), § 220-56-350, filed 2/14/06, effective 5/1/06; 05-05-035 (Order 05-15), § 220-56-350, filed 2/10/05, effective 5/1/05; 04-07-009 (Order 04-39), § 220-56-350, filed 3/4/04, effective 5/1/04; 03-05-057 (Order 03-24), § 220-56-350, filed 2/14/03, effective 5/1/03; 02-17-019 (Order 02-193), § 220-56-350, filed 8/9/02, effective 9/9/02; 02-08-048 (Order 02-53), § 220-56-350, filed 3/29/02, effective 5/1/02; 01-06-036 (Order 01-24), § 220-56-350, filed 3/5/01, effective 5/1/01. Statutory Authority: 2000 c 107 § 7, 00-16-091 (Order 00-134), § 220-56-350, filed 7/31/00, effective 8/31/00. Statutory Authority: RCW 75.08.080, 77.12.040, 00-08-038 (Order 00-29), § 220-56-350, filed 3/29/00, effective 5/1/00; 99-08-029 (Order 99-13), § 220-56-350, filed 3/30/99, effective 5/1/99; 98-06-031, § 220-56-350, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080, 97-07-078 (Order 97-53), § 220-56-350, filed 3/19/97, effective 5/1/97; 96-11-078 (Order 96-44), § 220-56-350, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-56-350, filed 5/31/95, effective 7/1/95; 94-14-069, § 220-56-350, filed 7/1/94, effective 8/1/94; 93-15-011, § 220-56-350, filed 7/8/93, effective 8/8/93; 93-08-034 (Order 93-20), § 220-56-350, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-56-350, filed 5/12/92, effective 6/12/92; 91-08-054 (Order 91-13), § 220-56-350, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-350, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-350, filed 3/16/89; 88-10-013 (Order 88-15), § 220-56-350, filed 4/26/88; 87-09-066 (Order 87-16), § 220-56-350, filed 4/21/87; 86-09-020 (Order 86-08), § 220-56-350, filed 4/9/86; 85-12-046 (Order 85-57), § 220-56-350, filed 6/5/85; 83-07-043 (Order 83-16), § 220-56-350, filed 3/17/83; 81-05-027 (Order 81-13), § 220-56-350, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-350, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-082.]

WAC 220-56-380 Oysters—Areas and seasons. It is lawful to take and possess oysters taken for personal use from public tidelands the entire year, except that public tidelands at the following beaches are closed unless otherwise provided:

(1) Brown Point (DNR 57-B): Closed the entire year.

- (2) Cushman Park - Open March 1 through December 31.
- (3) Fort Flagler State Park including that portion of the spit west of the park boundary (Rat Island): Open April 1 through June 30.
- (4) Frye Cove County Park: Open January 1 through June 15.
- (5) Hoodsport: Tidelands at the Hoodsport Salmon Hatchery are closed the entire year.
- (6) Hope Island State Park (South Puget Sound): Open April 1 through May 31.
- (7) Illahee State Park: Open April 1 through July 31.
- (8) Kitsap Memorial State Park: Open May 15 through July 31.
- (9) Kopachuck State Park: Open March 1 through July 31.
- (10) Liberty Bay - All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed to the harvest of oysters the entire year.
- (11) Mystery Bay State Park: Open October 1 through April 30.
- (12) Oak Bay County Park: Open July 1 through July 31.
- (13) Oyster Reserves: Puget Sound and Willapa Bay oyster reserves are closed the entire year except the following are open the entire year:
- (a) Oakland Bay - Tidelands at the north end of Oakland Bay and on the channel of the northwest shore of the Bay-shore Peninsula between department markers - open the entire year.
- (b) North Bay - State-owned reserves open the entire year.
- (c) Willapa Bay - Long Island oyster reserve: Northwest side of Long Island between reserve monuments 39 and 41 and southwest side of Long Island between reserve monuments 58 and 59.
- (14) Penrose Point State Park: Open March 1 through May 31.
- (15) Port Townsend Ship Canal/Portage Canal: Open January 1 through May 31.
- (16) Potlatch DNR Tidelands: April 1 through August 31.
- (17) Potlatch East: Open April 1 through August 31.
- (18) Potlatch State Park: Open April 1 through August 31.
- (19) Quilcene Bay Tidelands - All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed except those state-owned tidelands on the west side of the bay north of the Quilcene Boat Haven are open April 1 through December 31, daily from official sunrise to official sunset, only.
- (20) Scenic Beach State Park: Open April 15 through May 15.
- (21) Shine Tidelands State Park: Open January 1 through May 15.
- (22) South Indian Island County Park: April 1 through August 31.
- (23) Willapa Bay: State-owned tidelands east of the department Willapa Bay Field Station and the Nahcotta Tidelands Interpretive Site are open only between boundary markers and posted signs.

- (24) Wolfe Property State Park: Open January 1 through May 15.

[Statutory Authority: RCW 77.12.047, 07-05-051 (Order 07-22), § 220-56-380, filed 2/16/07, effective 3/19/07; 06-05-085 (Order 06-23), § 220-56-380, filed 2/14/06, effective 5/1/06; 05-05-035 (Order 05-15), § 220-56-380, filed 2/10/05, effective 5/1/05; 04-07-009 (Order 04-39), § 220-56-380, filed 3/4/04, effective 5/1/04; 03-05-057 (Order 03-24), § 220-56-380, filed 2/14/03, effective 5/1/03; 02-08-048 (Order 02-53), § 220-56-380, filed 3/29/02, effective 5/1/02; 01-06-036 (Order 01-24), § 220-56-380, filed 3/5/01, effective 5/1/01. Statutory Authority: 2000 c 107 § 7, 00-16-091 (Order 00-134), § 220-56-380, filed 7/31/00, effective 8/31/00. Statutory Authority: RCW 75.08.080, 77.12.040, 00-08-038 (Order 00-29), § 220-56-380, filed 3/29/00, effective 5/1/00; 99-08-029 (Order 99-13), § 220-56-380, filed 3/30/99, effective 5/1/99; 98-06-031, § 220-56-380, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080, 97-07-078 (Order 97-53), § 220-56-380, filed 3/19/97, effective 5/1/97; 96-11-078 (Order 96-44), § 220-56-380, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-56-380, filed 5/31/95, effective 7/1/95; 94-14-069, § 220-56-380, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-380, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-56-380, filed 5/12/92, effective 6/12/92; 91-08-054 (Order 91-13), § 220-56-380, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-380, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-380, filed 3/16/89; 88-10-012 and 88-10-013 (Orders 88-14 and 88-15), § 220-56-380, filed 4/26/88; 87-09-066 (Order 87-16), § 220-56-380, filed 4/21/87; 86-09-020 (Order 86-08), § 220-56-380, filed 4/9/86; 84-09-026 (Order 84-22), § 220-56-380, filed 4/11/84; 82-13-040 (Order 82-61), § 220-56-380, filed 6/9/82; 82-07-047 (Order 82-19), § 220-56-380, filed 3/18/82; 81-05-027 (Order 81-13), § 220-56-380, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-380, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-086.]

Chapter 220-69 WAC

FISH RECEIVING TICKETS—WEIGHT DELIVERY SHEETS

WAC

220-69-215	When state of Washington fish receiving tickets are required.
220-69-230	Description of Washington state nontreaty fish receiving tickets.
220-69-234	Description of treaty Indian fish receiving ticket.
220-69-240	Duties of commercial purchasers and receivers.
220-69-241	Duties of commercial fishers.
220-69-250	Required information on nontreaty fish receiving tickets.
220-69-254	Required information on treaty Indian fish receiving tickets.
220-69-280	Fish receiving ticket accountability.

WAC 220-69-215 When state of Washington fish receiving tickets are required. (1) State of Washington fish receiving tickets are required for:

- (a) Fresh fish and shellfish delivered in the state of Washington, including deliveries not purchased by a dealer, which shall be recorded as weigh-back or take-home fish or shellfish.
- (b) Fresh fish and shellfish previously delivered in another state, territory or country, and transported into the state of Washington to an original receiver.
- (c) Frozen fish or shellfish not previously delivered in another state, territory, or country, and transported into the state of Washington to an original receiver. Food fish and shellfish in this category are typically an at-sea processed product.
- (d) Purchase of fish or shellfish from a fisher who is also a dealer, if the fisher/dealer has not previously completed a fish receiving ticket.
- (e) Forage fish transferred at sea to another vessel.

(f) Forage fish caught for use as bait by the catching vessel and not transferred to another vessel or an original receiver.

(2) It is unlawful to fail to complete a fish receiving ticket when one is required.

Violation of this section is punishable under RCW 77.15.630.

[Statutory Authority: RCW 77.12.047, 07-23-001 (Order 07-278), § 220-69-215, filed 11/7/07, effective 12/8/07; 04-17-096 (Order 04-210), § 220-69-215, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080, 85-11-020 (Order 85-43), § 220-69-215, filed 5/10/85; 83-24-049 (Order 83-203), § 220-69-215, filed 12/2/83; Order 76-153, § 220-69-215, filed 12/17/76.]

WAC 220-69-230 Description of Washington state nontreaty fish receiving tickets. (1) There is hereby created the following nontreaty fish receiving ticket forms to be prepared, printed, and distributed upon request, by the department: Puget Sound salmon, troll, marine, utility, and shellfish. These forms shall contain space for the following information:

- (a) Fisherman: Name of licensed deliverer.
- (b) Address: Address of licensed deliverer.
- (c) Boat name: Name or Coast Guard number of landing vessel.
- (d) WDFW boat registration: Washington department of fish and wildlife boat registration number.
- (e) Gear: Code number or name of specific type of gear used.
- (f) Fisherman's signature: Signature of licensed deliverer.
- (g) Date: Date of landing.
- (h) Dealer: Name of dealer, and department number assigned to dealer.
- (i) Buyer: Name of buyer, and department number assigned to buyer.
- (j) Receiver's signature: Signature of original receiver.
- (k) Number of days fished: Days spent catching fish.
- (l) Fish or shellfish caught inside or outside 3-mile limit: Check one box.

(m) Catch area: Salmon catch area code if salmon are caught. Marine fish/shellfish catch area code if marine fish are caught or shellfish are caught or harvested.

(n) Tally space for dealer's use: Used at dealer's discretion.

(o) Species code: Department assigned species code.

(p) Individual number of salmon, sturgeon, number of ghost shrimp in dozens, number of oysters in dozens or gallons, species description for all fish and shellfish, original total weight in round pounds of all shellfish or fish, except pounds of legally dressed fish and shellfish may be recorded in original dressed weight. Dressed fish and shellfish must be designated as dressed on the fish receiving ticket. Value of fish and shellfish sold or purchased: Summary information for species, or species groups landed. All species or categories of bottomfish having a vessel trip limit must be listed separately (see WAC 220-44-050).

(q) Work area for dealer's use: Used at dealer's discretion, with the following exceptions:

(i) Federal sablefish endorsed limited entry permit numbers must be recorded in this area for each delivery of sable-

fish landed under the authority of this permit. Separate fish tickets are required for each permit number being used.

(ii) At the time of landing of coastal bottomfish into a Washington port, the fish buyer receiving the fish is required to clearly mark on the fish receiving ticket in the space reserved for dealer's use all legally defined trawl gear aboard the vessel at the time of delivery. The three trawl gear types are: Midwater trawl, roller trawl and small foot rope trawl (foot rope less than eight inches in diameter). The notation of the gear type(s) aboard the vessel is required prior to the signing of the fish receiving ticket by the vessel representative.

(r) Total amount: Total value of landing.

(s) Take-home fish: Species, number, and pounds of fish or shellfish retained for personal use.

(t) Crew: Name and signature of crew members who take home fish.

(2) The Puget Sound salmon fish receiving ticket shall be used for:

(a) Deliveries of nontreaty salmon caught in inland waters.

(b) Any other delivery of nontreaty salmon where the catch may be easily recorded.

(c) Any imports of fresh salmon into the state of Washington.

(3) The troll fish receiving ticket shall be used for:

(a) Deliveries of nontreaty coastal salmon and incidental catch.

(b) Any other nontreaty deliveries where the species delivered may be easily recorded.

(c) Any imports of fresh salmon into the state of Washington.

(4) The marine fish receiving ticket shall be used for:

(a) Nontreaty deliveries of marine fish or bottomfish that do not include salmon.

(b) Any imports of fresh marine fish or bottomfish.

(5) The utility fish receiving ticket shall be used for:

(a) Any nontreaty deliveries that do not include salmon, where other fish receiving tickets are not appropriate.

(b) Any imports of fresh fish or shellfish that do not include salmon.

(6) The shellfish receiving ticket shall be used for:

(a) Any nontreaty deliveries of shellfish.

(b) Any imports of fresh shellfish.

(c) Any incidental catch of bottomfish made while fishing for shellfish. The species name, total pounds, and price per pounds must be entered for each species of bottomfish caught.

[Statutory Authority: RCW 77.12.047, 07-23-002 (Order 07-279), § 220-69-230, filed 11/7/07, effective 12/8/07; 07-04-030, § 220-69-230, filed 1/29/07, effective 3/1/07. Statutory Authority: RCW 75.08.080, 00-01-145 (Order 99-221), § 220-69-230, filed 12/20/99, effective 1/20/00; 85-11-020 (Order 85-43), § 220-69-230, filed 5/10/85; 84-08-014 (Order 84-24), § 220-69-230, filed 3/27/84; 83-24-049 (Order 83-203), § 220-69-230, filed 12/2/83; 80-05-093 (Order 80-27), § 220-69-230, filed 5/2/80; 78-03-031 (Order 78-7), § 220-69-230, filed 2/17/78; Order 76-153, § 220-69-230, filed 12/17/76.]

WAC 220-69-234 Description of treaty Indian fish receiving ticket. (1) There is hereby created a treaty Indian fish receiving ticket form to be prepared, printed, and distributed upon request, by the department, which shall contain space for the following information:

- (a) Tribal name: Name or identification number of tribe.
 - (b) Fisherman: Name or identification number of deliverer.
 - (c) Signature: Signature of deliverer on tribal copy of ticket.
 - (d) Date: Date of landing.
 - (e) Dealer: Name of dealer, and department number assigned to dealer.
 - (f) Buyer: Name of buyer, and department number assigned to buyer.
 - (g) Gear: Code name or number of specific gear type used.
 - (h) Receiver's signature: Signature of original receiver.
 - (i) Catch area: River name for river catch, salmon catch area for saltwater salmon catch, marine fish/shellfish catch area for nonsalmon saltwater catch.
 - (j) Tally space for dealer's use: Used at dealer's discretion.
 - (k) Individual number of salmon, steelhead, sturgeon, number of ghost shrimp in dozens, number of oysters in dozens or gallons, species description for all fish and shellfish, original total weight for each species or species group in round pounds, except pounds of legally dressed fish and shellfish may be recorded in original dressed weight. Dressed fish and shellfish must be designated as dressed. Value of fish and shellfish purchased. Summary information for species, or species group landed. All species or categories of bottomfish having a vessel trip limit must be listed separately (see WAC 220-44-050).
 - (l) Tribal tax: Tribal tax collected.
 - (m) Take-home fish: Species, number, and pounds of fish retained for personal, ceremonial, or subsistence use.
- (2) The treaty Indian fish receiving ticket shall be used for any deliveries of fish or shellfish caught by Washington treaty Indians.

[Statutory Authority: RCW 77.12.047, 07-04-030, § 220-69-234, filed 1/29/07, effective 3/1/07. Statutory Authority: RCW 75.08.080, 00-01-145 (Order 99-221), § 220-69-234, filed 12/20/99, effective 1/20/00. Statutory Authority: RCW 75.08.080 and 75.58.040, 86-19-043 (Order 86-102), § 220-69-234, filed 9/12/86. Statutory Authority: RCW 75.08.080, 85-11-020 (Order 85-43), § 220-69-234, filed 5/10/85; 83-24-049 (Order 83-203), § 220-69-234, filed 12/2/83; 80-05-093 (Order 80-27), § 220-69-234, filed 5/2/80; 78-03-031 (Order 78-7), § 220-69-234, filed 2/17/78; Order 76-153, § 220-69-234, filed 12/17/76.]

WAC 220-69-240 Duties of commercial purchasers and receivers. (1) It is unlawful for any person originally receiving fresh or iced fish or shellfish or frozen fish or shellfish that have not been previously delivered in another state, territory, or country, except purchases or receipts made by individuals or consumers at retail, to fail to be a licensed wholesale fish dealer or fish buyer, and to fail to immediately, completely, accurately, and legibly prepare the appropriate state of Washington fish receiving ticket for each and every purchase or receipt of such commodities. Each delivery must be recorded on a separate fish receiving ticket. Failure to be licensed under this subsection is punishable under RCW 77.15.620.

(2) It is unlawful for any person originally receiving fresh or iced fish or shellfish previously delivered in another state, territory, or country, to fail to be a licensed wholesale fish dealer or fish buyer, and to fail to immediately, com-

pletely, accurately, and legibly prepare the appropriate state of Washington fish receiving ticket for each and every purchase or receipt of such commodities. Failure to prepare a fish receiving ticket under this subsection is punishable under RCW 77.15.630.

(3) It is unlawful for any original receiver of crab or spot shrimp to fail to record all crab or spot shrimp aboard the vessel making the delivery to the original receiver. The poundage of any fish or shellfish deemed to be unmarketable, discards, or weigh backs must be shown on the fish receiving ticket and identified as such, but a zero dollar value may be entered for such fish or shellfish. Failure to prepare a fish receiving ticket under this subsection is punishable under RCW 77.15.630.

(4) Any employee of a licensed wholesale dealer who has authorization to receive or purchase fish or shellfish for that dealer on the premises of the primary business address or any of its plant locations as declared on the license application, shall be authorized to initiate and sign fish receiving tickets on behalf of his employer. The business, firm, and/or licensed wholesale fish dealer who the buyers are operating under shall be responsible for the accuracy and legibility of all such documents initiated in its name.

(5) It is unlawful for the original receiver to fail to initiate the completion of the fish receiving ticket upon receipt of any portion of a commercial catch. Should the delivery of the catch take more than one day, the date that the delivery is completed must be entered on the fish receiving ticket as the date of delivery. If, for any reason, the delivery vessel leaves the delivery site, the original receiver must immediately enter the current date on the fish receiving ticket. Violation of this subsection is punishable under RCW 77.15.630.

(6) Forage fish: It is unlawful for any person receiving forage fish to fail to report the forage fish on fish receiving tickets initiated and completed on the day the forage fish are delivered. Herring are also required to be reported on herring harvest logs. The harvested amount of forage fish must be entered upon the fish ticket when the forage fish are off-loaded from the catcher vessel. An estimate of herring, candefish, anchovy, or pilchards caught but not sold due to mortality must be included on the fish ticket as "loss estimate." In the coastal pilchard fishery, the amount of pilchards, by weight, purchased for the purposes of conversion into fish flour, fishmeal, fish scrap, fertilizer, fish oil, other fishery products, or by-products for purposes other than human consumption or fishing bait, must be included on the fish ticket as "reduction."

Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.640.

(7) Geoduck: It is unlawful for any person receiving geoducks, regardless of whether or not the receiver holds a license as required under Title 77 RCW, to fail to accurately and legibly complete the fish receiving ticket initiated on the harvest tract immediately upon the actual delivery of geoducks from the harvesting vessel onto the shore. This fish receiving ticket shall accompany the harvested geoducks from the department of natural resources harvest tract to the point of delivery. Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.640.

(8) Pacific whiting: It is unlawful for the original receiver of Pacific whiting to fail to enter an estimated weight

of Pacific whiting on the fish receiving ticket immediately upon completion of the delivery. The exact weights of whiting, by grade, and all incidental species in the delivery must be entered on the fish receiving ticket within twenty-four hours of the landing. Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.640.

(9) Puget Sound shrimp - Pot gear: It is unlawful for the original receiver of shrimp other than ghost shrimp taken from Puget Sound by pot gear to fail to report to the department the previous week's purchases by 10:00 a.m. the following Monday. For harvest in Crustacean Management Regions 1 or 2, reports must be made to the La Conner district office by phone at 360-466-4345, extension 245, or by fax at 360-466-0515. For harvest in Crustacean Management Regions 3, 4, or 6, reports must be made to the Point Whitney Shellfish Laboratory by phone at 1-360-796-4601, option 1, or by fax at 360-586-8408. All reports must specify the serial numbers of the fish receiving tickets on which the previous week's shrimp were sold, plus the total number of pounds caught by gear type, the Marine Fish-Shellfish Management and Catch Reporting Area (Catch Area), and the species listed on each ticket. Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.560.

(a) It is unlawful for any person originally receiving or purchasing shrimp, other than ghost shrimp, harvested from Catch Area 23A, to fail to record either 23A-C, 23A-E, 23A-W, or 23A-S on shellfish receiving tickets based on the location of harvest and the boundary definitions specified in WAC 220-52-051. Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.640.

(b) It is unlawful for any person originally receiving or purchasing shrimp, other than ghost shrimp, harvested from Catch Area 26A, to fail to record either 26A-E or 26A-W on shellfish receiving tickets based on the location of harvest and the boundary definitions specified in WAC 220-52-051. Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.640.

(c) It is unlawful for any person originally receiving or purchasing shrimp, other than ghost shrimp, harvested from Catch Area 26B, to fail to record either 26B-1 or 26B-2 on shellfish receiving tickets based on the location of harvest and the boundary definitions specified in WAC 220-52-051. Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.640.

(d) It is unlawful for any person originally receiving or purchasing shrimp, other than ghost shrimp, harvested from Catch Areas 20B, 21A, and 22A, to fail to record either 1A-20B, 1A-22A, 1B-20B, 1B-21A, 1B-22A, or 1C-21A on shellfish receiving tickets based on the location of harvest and the boundary definitions specified in WAC 220-52-051. Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.640.

(10) Puget Sound shrimp - Trawl gear: It is unlawful for the original receiver of shrimp other than ghost shrimp taken from Puget Sound by trawl gear to fail to report to the department the previous day's purchases by 10:00 a.m. the following morning. For harvest in Crustacean Management Region 1, reports must be made to the La Conner district office by phone at 360-466-4345, extension 245, or by fax at 360-466-0515. For harvest in Crustacean Management Region 3, reports must be made to the Point Whitney Shellfish Labora-

tory by phone at 1-360-796-4601, option 1, or by fax at 360-586-8408. All reports must specify the serial numbers of the fish receiving tickets on which the previous day's shrimp were sold, the total number of pounds caught by gear type, the Marine Fish-Shellfish Management and Catch Reporting Area, and the species listed on each ticket. Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.560.

(11) Puget Sound crab: It is unlawful for any wholesale dealer acting in the capacity of an original receiver of Dungeness crab taken by nontreaty fishers, from Puget Sound, to fail to report to the department the previous day's purchases by 10:00 a.m. the following business day. Reports must be made to the Point Whitney Shellfish Laboratory by fax at 360-586-8408 or by phone at 1-866-859-8439, option 5, and must specify the dealer name; dealer phone number; date of delivery of crab to the original receiver; and the total number of pounds of crab caught by nontreaty fishers, by Crab Management Region or by Marine Fish-Shellfish Management and Catch Reporting Area. The fish receiving ticket reporting requirement of WAC 220-69-240 remains in effect. Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.560.

(12) Salmon and sturgeon:

(a) During any Puget Sound fishery opening that is designated as "quick reporting required," per WAC 220-47-001:

(i) It is unlawful for any wholesale dealer acting in the capacity of an original receiver to fail to report all purchases of salmon and sturgeon made on the previous calendar day, or for a direct retail endorsement (DRE) holder to fail to report all salmon offered for retail sale on the previous calendar day.

(ii) The report must include dealer or DRE holder name and purchasing location, date of purchase, each fish ticket number, including alpha, used on the purchasing date, and the following catch data for each fish ticket used: Total number of days fished, gear, catch area, species, number, and total weight for each species purchased and all take home fish not purchased (wholesale dealer) or sold (DRE).

(iii) When quick reporting is required, Puget Sound reports must be submitted by 10:00 a.m. on the day after the purchase date. Submission of a report is not complete until the report arrives at the designated department location. Reports can be submitted via fax at 360-902-2949; via e-mail at psfishtickets@dfw.wa.gov; or via phone at 1-866-791-1279. In fisheries under Fraser Panel Control within Fraser Panel Area Waters (area defined under Art. XV, Annex II, Pacific Salmon Treaty 1985), other reporting requirements not listed in this subsection may be necessary under Subpart F of the International Fisheries Regulations, 50 CFR Ch. III §300.93.

(b) During any coastal troll fishery opening that is designated by rule as "quick reporting required":

(i) It is unlawful for any wholesale dealer acting in the capacity of an original receiver to fail to report all purchases of salmon and sturgeon made on the previous calendar day, or for a direct retail endorsement (DRE) holder to fail to report all salmon offered for retail sale on the previous calendar day.

(ii) The report must include dealer or DRE holder name and purchasing location, date of purchase, each fish ticket

number, including alpha, used on the purchasing date, and the following catch data for each fish ticket used: Total number of days fished, gear, catch area, species, number, and total weight for each species purchased and all take home fish not purchased (wholesale dealer) or sold (DRE).

(iii) When quick reporting is required, coastal troll reports must be submitted by 10:00 a.m. on the day after the purchase date. Submission of a report is not complete until the report arrives at the designated department location. Reports can be made via fax at 360-902-2949; via e-mail at trollfishtickets@dfw.wa.gov; or via phone at 1-866-791-1279.

(c) During any Grays Harbor or Willapa Bay fishery opening that is designated by rule as "quick reporting required":

(i) It is unlawful for any wholesale dealer acting in the capacity of an original receiver to fail to report all purchases of salmon and sturgeon made on the previous calendar day, or for a direct retail endorsement (DRE) holder to fail to report all salmon offered for retail sale on the previous calendar day.

(ii) The report must include dealer or DRE holder name and purchasing location, date of purchase, each fish ticket number, including alpha, used on the purchasing date, and the following catch data for each fish ticket used: Gear, catch area, species, number, and total weight for each species purchased and all take home fish not purchased (wholesale dealer) or sold (DRE).

(iii) When quick reporting is required, Grays Harbor and Willapa Bay reports must be submitted by 10:00 a.m. on the day after the purchase date. Submission of a report is not complete until the report arrives at the designated department location. Reports can be made via fax at 360-664-0689; e-mail at harborfishtickets@dfw.wa.gov; or phone at 1-866-791-1280.

(d) During any Columbia River fishery opening that is designated by rule as "quick reporting required":

(i) It is unlawful for any wholesale dealer acting in the capacity of an original receiver to fail to report all purchases of salmon and sturgeon, or for a direct retail endorsement (DRE) holder to fail to report all salmon offered, for retail sale.

(ii) The report must include dealer or DRE holder name and purchasing location, date of purchase, each fish ticket number, including alpha, used on the purchasing date, and the following catch data for each fish ticket used: Gear, catch area, species, number, and total weight for each species purchased and all take home fish not purchased (wholesale dealer) or sold (DRE).

(iii) When quick reporting is required, Columbia River reports must be submitted within 5, 8, 12, or 24 hours of closure of the designated fishery. The time frame for submitting reports will be established by the department at the time of adoption of the quick reporting fishery. Adoption and communication of the quick reporting regulations for a given fishery will occur in conjunction with the adoption of said fishery through the Columbia River Compact. Submission of a report is not complete until the report arrives at the designated department location. Reports can be made via fax at 360-906-6776 or 360-906-6777; via e-mail at crfishtickets@dfw.wa.gov; or via phone at 1-866-791-1281.

(e) Faxing a copy of each fish receiving ticket used, within the previously indicated time frames specified per area, satisfies the reporting requirement.

(f) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.560.

(13)(a) Sea urchins and sea cucumbers: It is unlawful for any wholesale dealer acting in the capacity of an original receiver and receiving sea urchins or sea cucumbers from nontreaty fishers to fail to report to the department each day's purchases by 10:00 a.m. the following day. For red sea urchins, the report must specify the number of pounds received from each sea urchin district. For green sea urchins and sea cucumbers, the report must specify the number of pounds received from each Marine Fish-Shellfish Management and Catch Reporting Area. For sea cucumbers, the report must specify whether the landings were "whole-live" or "split-drained." The report must be made by fax at 360-902-2943, or by toll-free telephone at 866-207-8223.

(b) It is unlawful for the original receiver of red sea urchins to fail to record on the fish receiving ticket the sea urchin district where the red sea urchins were taken, and it is unlawful for the original receiver of any sea urchins to fail to record on the fish receiving ticket the name of the port of landing where the sea urchins were landed ashore.

(c) It is unlawful for the original receiver of sea cucumbers to fail to record on the fish receiving ticket whether the sea cucumbers were delivered "whole-live" or "split-drained."

(d) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.560.

(14) Coastal spot shrimp: It is unlawful for any original receiver of spot shrimp taken from Marine Fish Management and Catch Reporting Area 60A-1 to fail to record separately on the fish receiving ticket spot shrimp taken north or south of 47°04.00' north latitude. Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.640.

[Statutory Authority: RCW 77.12.047, 07-23-001 (Order 07-278), § 220-69-240, filed 11/7/07, effective 12/8/07; 07-04-030, § 220-69-240, filed 1/29/07, effective 3/1/07; 06-08-078 (Order 06-59), § 220-69-240, filed 4/3/06, effective 5/4/06; 06-01-013 (Order 05-275), § 220-69-240, filed 12/9/05, effective 1/9/06; 04-17-096 (Order 04-210), § 220-69-240, filed 8/17/04, effective 9/17/04; 03-17-008 (Order 03-188), § 220-69-240, filed 8/8/03, effective 9/8/03; 03-05-064 (Order 03-28), § 220-69-240, filed 2/18/03, effective 3/21/03; 03-05-059 (Order 03-32), § 220-69-240, filed 2/18/03, effective 3/21/03; 01-07-015 (Order 01-32), § 220-69-240, filed 3/13/01, effective 4/13/01. Statutory Authority: RCW 75.08.080, 00-01-145 (Order 99-221), § 220-69-240, filed 12/20/99, effective 1/20/00; 97-08-052 (Order 97-55), § 220-69-240, filed 3/31/97, effective 5/1/97. Statutory Authority: RCW 75.08.080 and 75.58.040, 86-19-043 (Order 86-102), § 220-69-240, filed 9/12/86. Statutory Authority: RCW 75.08.080, 85-11-020 (Order 85-43), § 220-69-240, filed 5/10/85; 83-24-049 (Order 83-203), § 220-69-240, filed 12/2/83; 82-17-040 (Order 82-105), § 220-69-240, filed 8/13/82; 81-11-006 (Order 81-31), § 220-69-240, filed 5/11/81; Order 77-14, § 220-69-240, filed 4/15/77; Order 76-153, § 220-69-240, filed 12/17/76.]

WAC 220-69-241 Duties of commercial fishers. (1)(a)

Every fisher selling food fish or shellfish to a consumer, restaurant, boathouse, or other retail outlet, or donating fish or shellfish that have not been previously delivered to an original receiver to a nonprofit or other organization, and every fisher who places, or attempts to place, into inter-state commerce any food fish or shellfish previously landed in this state, or caught or harvested from the territorial waters of this

state, is required to possess a valid wholesale dealer's license or a direct retail endorsement.

(b) It is unlawful for such fishers to fail to immediately, completely, accurately, and legibly prepare the appropriate state of Washington fish receiving ticket in their own name for each delivery of fish. The fish receiving ticket must show the total of all fish and shellfish aboard the harvesting vessel upon delivery.

(c) It is unlawful for a fisher selling at retail to fail to complete a fish receiving ticket before offering fish or shellfish for retail sale, except that the fisher may complete a fish receiving ticket with an estimated number or weight if food fish or shellfish are being offered for sale directly off the catcher vessel. At the completion of the retail activity, the fisher who has completed a ticket with an estimated number or weight is required to complete a corrected fish receiving ticket with the actual number and weight of fish or shellfish that were sold at retail.

(d) Failure to be licensed under this subsection is punishable under RCW 77.15.620.

(e) Failure to prepare a fish receiving ticket under this subsection is punishable under RCW 77.15.630.

(2)(a) It is unlawful for a fisher offering food fish or shellfish for retail sale to fail to maintain a sequentially numbered receipt book, which receipt book shall contain a receipt duplicate copy and shall give each purchaser of salmon or crab a receipt showing the number, weight, and value of food fish or shellfish sold to that purchaser.

(b) It is unlawful for the retail seller to fail to retain the duplicate receipts for one year.

(c) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.640.

(3)(a) In the commercial geoduck fishery, it is unlawful for a vessel operator so designated by the geoduck tract holder to fail to be present at all times on each vessel commercially harvesting geoducks or having commercially harvested geoducks aboard.

(b) For each day's harvest of geoducks from each tract, it is unlawful for the designated operator to fail to legibly and accurately enter the following information on a fish receiving ticket before leaving the department of natural resources geoduck harvest tract:

(i) Enter in the "dealer's use" column the number of cages of geoducks harvested.

(ii) Write across the top of the fish receiving ticket, directly below the tear strip, the harvest vessel name, its Washington department of fish and wildlife identification number, and the date.

(iii) Sign the fish receiving ticket as the fisher.

(c) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.640.

(4)(a) It shall be unlawful for operators of commercial fishing vessels catching their own forage fish for the purposes of using them as bait, to fail to accurately report such harvests on a state of Washington fish receiving ticket along with the target food fish or shellfish when such food fish or shellfish are delivered to an original receiver.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.560.

(5)(a) It shall be unlawful for operators of commercial fishing vessels to allow, for monetary consideration, the dis-

tribution or transfer of forage fish from their nets or other holding devices under their control to anyone other than a licensed wholesale fish dealer, unless the operators of the commercial fishing vessels hold a wholesale fish dealers license. Fishermen who are also licensed wholesale fish dealers and who distribute or transfer forage fish to others for use as bait in other commercial fisheries will be responsible for completing a fish receiving ticket for such transfers.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.630.

[Statutory Authority: RCW 77.12.047. 07-23-001 (Order 07-278), § 220-69-241, filed 11/7/07, effective 12/8/07; 04-17-096 (Order 04-210), § 220-69-241, filed 8/17/04, effective 9/17/04; 04-05-028 (Order 04-20), § 220-69-241, filed 2/10/04, effective 3/12/04; 03-05-059 (Order 03-32), § 220-69-241, filed 2/18/03, effective 3/21/03. Statutory Authority: RCW 75.08.080. 00-01-145 (Order 99-221), § 220-69-241, filed 12/20/99, effective 1/20/00. Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-241, filed 9/12/86. Statutory Authority: RCW 75.08.080. 83-24-049 (Order 83-203), § 220-69-241, filed 12/2/83; 81-11-006 (Order 81-31), § 220-69-241, filed 5/11/81; 81-03-032 (Order 81-6), § 220-69-241, filed 1/13/81; Order 76-153, § 220-69-241, filed 12/17/76.]

WAC 220-69-250 Required information on nontreaty fish receiving tickets. (1) It is unlawful for a person required to complete a nontreaty fish receiving ticket to fail to enter the mandatory information referenced in WAC 220-69-230 (1)(a) through (m), (p), (q), (s), and (t) on each nontreaty fish receiving ticket.

(2) A valid license card or duplicate license card issued by the department shall be used in conjunction with an approved mechanical imprinter in lieu of WAC 220-69-230 (1)(a) through (e) except as provided in WAC 220-69-273.

(3) A valid dealer or buyer card issued by the department shall be used in conjunction with an approved mechanical imprinter in lieu of WAC 220-69-230 (1)(h) and (i).

(4) During the period December 1 through December 30, the crab inspection certificate number is a required entry on all shellfish receiving tickets documenting landings and sale of Dungeness crab from Pacific Ocean, Coastal Washington, Grays Harbor, Willapa Harbor, and Columbia River waters. The crab inspection certificate number must be entered legibly on the left hand side of the ticket in the space indicated for dealer's use.

(5) Violation of this section is a gross misdemeanor, punishable under RCW 77.15.640.

[Statutory Authority: RCW 77.12.047. 07-23-002 (Order 07-279), § 220-69-250, filed 11/7/07, effective 12/8/07; 07-04-030, § 220-69-250, filed 1/29/07, effective 3/1/07; 04-17-096 (Order 04-210), § 220-69-250, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080. 00-01-145 (Order 99-221), § 220-69-250, filed 12/20/99, effective 1/20/00. Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-250, filed 9/12/86. Statutory Authority: RCW 75.08.080. 85-11-020 (Order 85-43), § 220-69-250, filed 5/10/85; 85-01-010 (Order 84-214), § 220-69-250, filed 12/7/84; 84-08-014 (Order 84-24), § 220-69-250, filed 3/27/84; 83-24-049 (Order 83-203), § 220-69-250, filed 12/2/83; Order 76-153, § 220-69-250, filed 12/17/76.]

WAC 220-69-254 Required information on treaty Indian fish receiving tickets. (1) It is unlawful for a person required to complete a treaty Indian fish receiving ticket to fail to enter the mandatory information referenced in WAC 220-69-234 (1)(a) through (l) and (p) on each treaty Indian fish receiving ticket.

(2) A valid treaty Indian identification card may be used in lieu of WAC 220-69-234 (1)(a) and (b).

(3) A valid dealer or buyer card issued by the department shall be used in lieu of WAC 220-69-234 (1)(e) and (f).

(4) Violation of this section is a gross misdemeanor, punishable under RCW 77.15.640.

[Statutory Authority: RCW 77.12.047, 07-04-030, § 220-69-254, filed 1/29/07, effective 3/1/07; 04-17-096 (Order 04-210), § 220-69-254, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080, 00-01-145 (Order 99-221), § 220-69-254, filed 12/20/99, effective 1/20/00. Statutory Authority: RCW 75.08.080 and 75.58.040, 86-19-043 (Order 86-102), § 220-69-254, filed 9/12/86. Statutory Authority: RCW 75.08.080, 85-11-020 (Order 85-43), § 220-69-254, filed 5/10/85; 83-24-049 (Order 83-203), § 220-69-254, filed 12/2/83; 78-03-031 (Order 78-7), § 220-69-254, filed 2/17/78; Order 76-153, § 220-69-254, filed 12/17/76.]

WAC 220-69-280 Fish receiving ticket accountability. Only current state of Washington fish receiving tickets shall be used, and shall be subject to the following orders:

(1) Official state of Washington fish receiving tickets may be ordered free of charge from the department.

(2) It is unlawful to fail to use fish receiving ticket books and fish receiving tickets in numerical sequence, starting with the lowest numbered ticket issued to the original receiver.

(3) It is unlawful to transfer fish receiving tickets or ticket books from one original receiver to another original receiver without written permission from the department.

(4) It is unlawful for any purchaser or receiver terminating business to fail to notify the department in writing and to fail to return all unused fish receiving tickets and ticket books to the department within thirty days after termination of business.

(5) It is unlawful to fail to return the state copy of all fish receiving tickets to the state. All fish receiving tickets that are incorrectly made out, voided, or otherwise unused, are required to be submitted to the department accompanying, and in sequence with, other fish receiving tickets.

(6) It is unlawful to fail to account for all fish receiving tickets that are lost, destroyed, or otherwise missing in writing to the department.

(7) It is unlawful to transfer fish receiving tickets to anyone who is not a licensed wholesale fish dealer, licensed fish buyer, or holder of a direct retail sale license endorsement, and it is unlawful for any person not so licensed to have fish receiving tickets in possession.

(8) It is unlawful for a wholesale dealer or holder of a direct retail sale endorsement to fail to maintain the dealer copy or copies at the dealer's or holder's regular place of business for three years after the date of use of the fish ticket.

(9) Violation of this section is a gross misdemeanor, punishable under RCW 77.15.640.

[Statutory Authority: RCW 77.12.047, 07-04-030, § 220-69-280, filed 1/29/07, effective 3/1/07; 04-17-096 (Order 04-210), § 220-69-280, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080, 00-01-145 (Order 99-221), § 220-69-280, filed 12/20/99, effective 1/20/00. Statutory Authority: RCW 75.08.080 and 75.58.040, 86-19-043 (Order 86-102), § 220-69-280, filed 9/12/86. Statutory Authority: RCW 75.08.080, 85-11-020 (Order 85-43), § 220-69-280, filed 5/10/85; 83-24-049 (Order 83-203), § 220-69-280, filed 12/2/83; 82-17-040 (Order 82-105), § 220-69-280, filed 8/13/82; 80-05-093 (Order 80-27), § 220-69-280, filed 5/2/80; 78-03-031 (Order 78-7), § 220-69-280, filed 2/17/78; Order 76-153, § 220-69-280, filed 12/17/76.]

Chapter 220-88C WAC COASTAL PILCHARD FISHERY

WAC

220-88C-030

Eligibility to participate in the coastal pilchard fishery.

WAC 220-88C-030 Eligibility to participate in the coastal pilchard fishery. (1) Beginning in 2007, a coastal pilchard experimental fishery permit will be issued only to a natural person who:

(a) Held such a permit or held a replacement permit the previous year;

(b) Has purchased an emerging commercial fisheries license by April 1st; and

(c) Has an ownership interest of at least fifty percent in the vessel designated on the emerging commercial fishery license.

(2) Coastal pilchard experimental fishery permits may be revoked by the director, and future permits denied by the director, for failure to comply with conditions specified in the permits or violation of other commercial fishing rules, and shall be revoked if the emerging commercial fishery license is suspended. A coastal pilchard experimental fishery permit will not be renewed if the emerging commercial fishery license is revoked or future fishing privileges of the licensee are suspended.

(3) The director may offer replacement permits, provided that the total number of permits issued by the director, including replacement permits, shall not exceed twenty-five.

(4) A coastal pilchard replacement permit will only be issued to a natural person who:

(a) Has an ownership interest of at least fifty percent in a vessel that was designated on a Washington coastal pilchard experimental fishery permit in 2004 or 2005; and

(b) Has purchased an emerging commercial fisheries license by August 1, 2006.

(5) Coastal pilchard experimental fishery permits and replacement permits are only valid for the year issued and expire with the expiration of the emerging commercial fishery license.

(6) Replacement permit holders must designate a vessel in which the replacement permit holder has an ownership interest of at least fifty percent.

(7) Permit holders must designate a vessel to be used in the coastal pilchard emerging commercial fishery at least forty-eight hours before their first pilchard fishing trip of each season. Once designated, permit holders may not change vessel designation for the remainder of the season, except as provided in subsection (8) of this section in an emergency and then only if allowed by the director. The same vessel may not be designated on more than one emerging commercial fishery license and accompanying coastal pilchard experimental fishery permit.

(8) Vessel designation may be changed during the pilchard season provided that the designated vessel has not yet participated in the pilchard fishery during the current calendar year.

[Statutory Authority: RCW 77.12.047 and 77.04.020, 07-08-023 (Order 07-49), § 220-88C-030, filed 3/27/07, effective 4/27/07. Statutory Authority: RCW 77.12.047, 06-08-078 (Order 06-59), § 220-88C-030, filed 4/3/06, effective 5/4/06; 05-08-056 (Order 05-53), § 220-88C-030, filed 3/30/05, effective 4/30/05; 04-10-035 (Order 04-94), § 220-88C-030, filed 4/29/04,

effective 5/30/04; 03-13-002 (Order 03-111), § 220-88C-030, filed 6/4/03, effective 7/5/03; 01-07-016 (Order 01-36), § 220-88C-030, filed 3/13/01, effective 4/13/01.]

Chapter 220-95 WAC COMMERCIAL FISHING GEAR REDUCTION PROGRAM

WAC

220-95-100 Sea urchin license reduction program.
220-95-110 Sea cucumber license reduction program.

WAC 220-95-100 Sea urchin license reduction program. In order to provide for economic stability in the commercial sea urchin fishery, and in accordance with RCW 77.70.150, the department establishes the sea urchin license reduction program (program).

(1) Eligibility: All persons who currently hold a sea urchin commercial fishery license are eligible to offer their license(s) for purchase under the program.

(2) Method of purchase: The department will rank offers to sell sea urchin licenses from the lowest offer to the highest offer. The department will purchase licenses each year from the funds made available under RCW 77.70.150, with a maximum purchase price of \$11,000 per license.

(3) Offer process: The department will accept offers to sell beginning August 1st of each year and will purchase licenses based on the funds that are available on the following September 30th.

(4) Selection process: The department will select licenses to be purchased beginning with the lowest offer to sell, and continuing until there are insufficient funds to purchase a complete offer. If two or more licenses are offered at the same price, selection will be by random draw.

(5) License reduction process: Upon selection, the department will issue a warrant to the license holder in the amount of the offer. On the date the warrant is mailed to the mailing address of the license holder as shown in their department licensing file, the department will void the license. Upon receipt of the warrant, the license holder is to return the license cards to the department.

(6) No prohibition on reentry: License holders who sell a license under the program may reenter the sea urchin commercial fishery.

(7) Program termination: This program terminates when the number of sea urchin commercial fishery licensees is reduced to twenty-five.

[Statutory Authority: RCW 77.12.047, 07-11-110 (Order 07-88), § 220-95-100, filed 5/18/07, effective 6/18/07; 02-17-014 (Order 02-184), § 220-95-100, filed 8/9/02, effective 9/9/02; 02-01-069 (Order 01-274), § 220-95-100, filed 12/14/01, effective 1/14/02.]

WAC 220-95-110 Sea cucumber license reduction program. In order to provide for economic stability in the commercial sea cucumber fishery, and in accordance with RCW 77.70.190, the department establishes the sea cucumber license reduction program (program).

(1) Eligibility: All persons who currently hold a sea cucumber commercial fishery license are eligible to offer their license(s) for purchase under the program.

(2) Method of purchase: The department will rank offers to sell sea cucumber licenses from the lowest offer to the

highest offer. The department will purchase licenses each year from the funds made available under RCW 77.70.190, with a maximum purchase price of \$15,000 per license.

(3) Offer process: The department will accept offers to sell beginning August 1st of each year and will purchase licenses based on the funds that are available on the following September 30th.

(4) Selection process: The department will select licenses to be purchased beginning with the lowest offer to sell, and continuing until there are insufficient funds to purchase a complete offer. If two or more licenses are offered at the same price, selection will be by random draw.

(5) License reduction process: Upon selection, the department will issue a warrant to the license holder in the amount of the offer. On the date the warrant is mailed to the mailing address of the license holder as shown in their department licensing file, the department will void the license. Upon receipt of the warrant, the license holder is to return the license cards to the department.

(6) No prohibition on reentry: License holders who sell a license under the program may reenter the sea cucumber commercial fishery.

(7) Program termination: This program terminates when the number of sea cucumber commercial fishery licensees is reduced to twenty-five.

[Statutory Authority: RCW 77.12.047, 07-11-110 (Order 07-88), § 220-95-110, filed 5/18/07, effective 6/18/07; 05-17-027 (Order 05-170), § 220-95-110, filed 8/5/05, effective 9/5/05; 02-17-014 (Order 02-184), § 220-95-110, filed 8/9/02, effective 9/9/02; 02-01-069 (Order 01-274), § 220-95-110, filed 12/14/01, effective 1/14/02.]

Chapter 220-130 WAC VOLUNTEER COOPERATIVE FISH AND WILDLIFE ENHANCEMENT PROGRAM

WAC

220-130-040 Review and selection process.

WAC 220-130-040 Review and selection process. (1) The application method is on application forms provided by the department specifically for this purpose. Application forms will be available by request from the Olympia headquarters and at all regional offices of the department.

(2) Applications for projects will be accepted each year during the open application period of December 1 through February 28.

(a) Applications accepted prior to the start of a biennium may be for project funding for one or both years of the ensuing biennium.

(b) Applications accepted during the first year of a biennium will be for project funding in the second year of a biennium.

(3) The funding decision deadline is May 31 of the year of application.

(4) Exceptions to the funding deadline dates will only be allowed in the event of applications for volunteer projects which are responsive to an emergency situation which may arise and which has been declared to be an emergency by the director.

(5) The department will send each applicant, within forty-five days of receipt of each application, a written

acknowledgment of the receipt of the application and give the applicant an estimated date when notification of acceptance or rejection of the proposal can be expected. The written acknowledgment will also provide the department's selection criteria and a general description of the review and selection process. Final decisions and notification of acceptance or rejection of proposals where funding is requested will be made only after the biennial budget is passed by the legislature and signed by the governor.

(6) The department will determine when a proposed project might affect the management programs of federal, other state, and local agencies and of treaty tribes and will make contact with these entities, when the department determines that it is appropriate to do so, during the review and selection process. If the department determines that ongoing coordination between a volunteer group and another agency or tribe would be appropriate, it may be required as a condition of the agreement, when issued.

(7) The department may provide suggested modifications to the proposal which would increase its likelihood of approval together with the name and telephone number of the person within the department responsible for monitoring the review of the proposal.

[Statutory Authority: RCW 77.12.047, 07-22-097 (Order 07-274), § 220-130-040, filed 11/6/07, effective 12/7/07; 04-01-055 (Order 03-306), § 220-130-040, filed 12/11/03, effective 1/11/04. Statutory Authority: RCW 75.08.080, 00-02-048 (Order 99-235), § 220-130-040, filed 12/30/99, effective 1/30/00. Statutory Authority: RCW 75.08.080 and 75.52.050, 99-11-004 (Order 99-44), § 220-130-040, filed 5/6/99, effective 6/6/99. Statutory Authority: RCW 75.08.080, 85-04-045 (Order 85-07), § 220-130-040, filed 2/1/85.]